

EXHIBIT 6

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

-----X

IN THE MATTER OF COEYMANS MARINE
TOWING, LLC D/B/A CARVER MARINE
TOWING AS OWNER AND OPERATOR OF M/T
MACKENZIE ROSE, (IMO NO. 8968765) HER
CARGO, ENGINES, BOILERS, TACKLE, EQUIPMENT,
APPAREL, AND APPURTENANCES, ETC., IN REM,
("M/T MACKENZIE ROSE"),

CIVIL ACTION

NO: 2:24-cv-00490-MSD-LRL

PETITIONING FOR EXONERATION FROM OR
LIMITATION OF LIABILITY IN ALLISION WITH
NORFOLK AND PORTSMOUTH BELT LINE RAILROAD
COMPANY MAIN LINE RAILROAD BRIDGE
(THE "BRIDGE") OCCURRING JUNE 15, 2024 IN
AND ABOUT THE ELIZABETH RIVER, VIRGINIA.

-----X

June 17, 2025
10:08 a.m.

AN IN PERSON VIDEOTAPED DEPOSITION of
Nicholas Laraway, taken by the respective
parties, pursuant to Order, before Larin
Kaywood, a Notary Public for and within the
State of New York.

JOB NO.: 114501

NICHOLAS LARAWAY

June 17, 2025

1 A P P E A R A N C E S:

2 CRENSHAW, WARE & MARTIN, P.L.C.
Attorneys for Defendant Norfolk
3 Portsmouth Belt Line Railroad Company
150 W. Main Street Suite 1500
4 Norfolk, Virginia 23510
BY: JIM CHAPMAN, ESQ.
5 E-mail: Jchapman@cwm-law.com

6 CLYDE & CO US LLP
Attorneys for Coeymans Marine Towing, LLC
7 30 S. Wacker Drive, Suite 2600
Chicago, IL 60606
8 BY: JAMES H. Rodgers, ESQ.
E-mail: James.rodgers@clydeco.us
9

10 SINNOTT, NUCKOLS & LOGAN, PC
Attorney for Evanston Insurance Company,
11 s/s/o Norfolk and Portsmouth Belt Line
Railroad Company
12 13811 Village Mill Drive
Midlothian, Virginia 23114
13 BY: MARK C. NANAVATI, ESQ.
NICHOLAS J. LEWIS, ESQ.
14 E-mail: Mnanavati@snllaw.com
Cjones@snllaw.com
15

16 Also Present: Josef Malik, Chief legal
officer, Carver Companies.
17 Ryan.

18 Ingrid Contreras, The videographer
19
20
21

22 * * * * *

23

24

25

NICHOLAS LARAWAY

June 17, 2025

1	INDEX	
2	EXAMINATION OF Nicholas Laraway	
3	EXAMINATION BY	PAGE
4	MR. CHAPMAN	5
5		
6	EXHIBITS	
7	MARKED FOR IDENTIFICATION	
8	DESCRIPTION	PAGE
9	Exhibit 1 - Deposition Notice	7
10	Exhibit 2 - 6/20/24 Laraway email re evidence	14
11	Preservation request ESI 0307 - 0311	
12	Exhibit 3 - 6/20/24 Laraway email FW:Accident	27
13	Moore ESI 0191-0192	
14	Exhibit 4 - 12/6/21 Marine Safety Consultants	33
15	To Dime Community Bank - Condition &	
16	Valuation Survey Report Dime 000231-237	
17	Exhibit 5 - USCG General Index or Abstract of	39
18	Title Mary Gellaty/Mackenzie Rose	
19	NPBL0052 - 0053	
20	Exhibit 6 - 12/27/21 Mi-Ro Ltr to Dime Community	43
21	Bank re: Desktop Opinion of Tugboat	
22	Mackenzie Rose	
23	Exhibit 7 - Schedule of Vessels - Hull Effective	47
24	11/1/23 Carver 0673-0674	
25	Exhibit 8 - DLS Marine Survey & Appraisal	49
	Carver 1929 - 1957	
	Exhibit 9 - Meyerrose 4/1/2025 Survey Produced by	57
	Carver (need Bates #)	
	Exhibit 10 - SMS 6.4 Drug & Alcohol Policy	99
	TBS Helm Connect 0843 -0852	
	Exhibit 11 - 7/29/24 Feeney email FS: CMT-AMS	103
	Drug Testing ESI 0201-0217	

NICHOLAS LARAWAY

June 17, 2025

1	Exhibit 12 - 10/3/24 Morrissey termination letter	106
2	Exhibit 13 - SMS 8.8F Collision/Allision TBS	118
3	Helm Connect 000996-997	
4	Exhibit 14 - 7/3/24 Galioto email FW	122
5	Photos to Moore	
6	ESI 0313 - 0319	
7	Exhibit 15 - 6/16/24 Miller email with crew	126
8	statements	
9	ESI 0038 - 0042	
10	Exhibit 16 - 6/28/24 Miller email re:	135
11	Incident report (not attached)	
12	ESI 0541	
13	Exhibit 17 - 6/24/24 Miller email with Helm	136
14	Log June 15 RR Accident	
15	ESI 0527 - 0531	
16	Exhibit 18 - 6/24/24 Moore email re: Helm Logs	144
17	Meeting Notes	
18	ESI 0532	
19	Exhibit 19 - 7/19/24 Galioto email re:	147
20	CMT Safety Info to Moore	
21	ESI 0020 - 0037	
22	Exhibit 20 - 6/14/2024 The General Ship Repair	161
23	Invoice TGSR 000009	
24	Exhibit 21 - 6/9/25 Declaration of Josef Malik	164
25		
	NAME/DESCRIPTION (MCGRATH)	
	Exhibit 1 5/20/2024 Mackenzie Rose Daily	
	Log TBS Helm Connect 000503-504	

NICHOLAS LARAWAY

June 17, 2025

1 THE VIDEOGRAPHER: This is the
2 beginning of Media Number 1 in the
3 deposition of Nicholas Laraway in the
4 matter of Coeymans Marine Towing,
5 LLP, d/b/a Carver Marine Towing, Inc.
6 Case number 224-cv-009 -- I'm sorry,
7 00490.

8 Today's date is Tuesday, June
9 17th, 2025, and the time on the
10 monitor is 10:08 a.m.

11 My name is Ingrid Contreras and
12 I'm the videographer. The court
13 reporter is Larin Kaywood. We are
14 here with First Legal.

15 Counsel, please introduce
16 yourself after which the court
17 reporter will swear in the witness.

18 MR. CHAPMAN: James Chapman
19 with the law firm of Crenshaw, Ware &
20 Martin, on behalf of the plaintiff,
21 Norfolk and Portsmouth Belt Line
22 Railroad Company.

23 MR. RODGERS: James Rodgers of
24 Clyde & Co, on behalf of Coeymans
25 Marine, d/b/a Carver Marine Towing.

NICHOLAS LARAWAY

June 17, 2025

1 MR. MALIK: Josef Malik, chief
2 legal officer for Carver Companies.
3 N I C H O L A S L A R A W A Y, having
4 first been duly sworn by a Notary Public
5 for and within the State of New York, upon
6 being examined, testified as follows:

7 THE REPORTER: Can I have your
8 first and last name for the record,
9 please?

10 **THE WITNESS: Nicholas Laraway.**

11 THE REPORTER: And your
12 address?

13 **THE WITNESS: 104 Dutchman**
14 **Lane, Schenectady, New York 12303.**

15 THE REPORTER: Can you spell
16 Schenectady again?

17 THE WITNESS:
18 S-C-H-E-N-E-C-T-A-D-Y.

19 THE REPORTER: And what is zip
20 code?

21 **THE WITNESS: 12303.**

22 THE REPORTER: One second.

23 EXAMINATION BY

24 MR. CHAPMAN:

25 Q. Good morning, Mr. Laraway.

NICHOLAS LARAWAY

June 17, 2025

1 **A. Good morning.**

2 Q. You are here on behalf of the
3 company to testify on a number of topics
4 that were identified in the deposition
5 notice.

6 Is that your understanding?

7 **A. Yes, sir.**

8 Q. I take it you've seen the
9 deposition notice?

10 **A. Yes, sir.**

11 MR. CHAPMAN: Can you mark that
12 as one, please?

13 THE REPORTER: Already had it
14 on here, thank you.

15 (Whereupon, Exhibit 1 was
16 marked for identification.)

17 Q. And that is the notice of the
18 deposition of Coeymans Marine Towing, d/b/a
19 Carver Marine Towing.

20 And attached as Exhibit A,
21 there's some definitions and a couple of
22 dozen topics.

23 See that?

24 **A. I do.**

25 Q. You've had a chance to review

NICHOLAS LARAWAY

June 17, 2025

1 it prior to the deposition?

2 **A. I have.**

3 Q. And it's your understanding
4 that you've been designated to testify on
5 those topics?

6 **A. Yes.**

7 Q. Right. How long have you been
8 employed by, I'll call it Carver, but I
9 don't know whether it's Coeymans Marine
10 Towing, d/b/a as Carver or sort of what's
11 your role there?

12 **A. I've been employed with Carver**
13 **Companies in a number of roles since 2011.**

14 Q. Did you work anywhere else
15 before working for Carver?

16 **A. Prior to 2011, I had worked a**
17 **number of part-time jobs including working**
18 **for Carver and miscellaneous jobs during**
19 **the summers.**

20 **But I began my full-time**
21 **employment with Carver right out of school.**

22 Q. Are you connected via family to
23 the Carver organization?

24 **A. I am.**

25 Q. Can you tell us about that?

NICHOLAS LARAWAY

June 17, 2025

1 **A. Carver Laraway, the founder and**
2 **chairman of the board is my uncle.**

3 Q. So were you in college working
4 part-time?

5 **A. Yes.**

6 Q. Before you joined the
7 companying?

8 **A. (Nodding.)**

9 Q. When did you graduate?

10 **A. 2010.**

11 Q. And what's your degree?

12 **A. In economics and business.**

13 Q. Do you hold any U.S. Coast
14 Guard licenses?

15 **A. I do not.**

16 Q. Have you ever sailed on any
17 vessel as a member of the crew?

18 **A. I have not.**

19 Q. I take it that you're a
20 salaried employee?

21 **A. I am.**

22 Q. What is your current title?

23 **A. My current title is the**
24 **executive director of administration of**
25 **Carver Companies.**

1 Q. Who do you report to?

2 A. I report to the board of
3 directors.

4 Q. So one of the topics is kind of
5 the relationships of Carver Companies.

6 Can you tell us about that?

7 A. Certainly. So Carver Companies
8 is a large diversified industrial
9 organization that does a number of -- it
10 works within a number of different
11 industries and a number of different
12 geographical locations.

13 We do construction, earth work
14 and infrastructure in New York and South
15 Carolina. We have a deep water industrial
16 port at our Port of Coeymans facility in
17 Coeymans, New York just south of Albany.

18 Adjacent to that we have a 300
19 acre industrial park that facilitates the
20 movement of cargo to and from the Port of
21 Coeymans. We have a number of ancillary
22 businesses in Upstate New York.

23 Certainly, we have the Coeymans
24 Marine Towing business now doing business
25 as Carver Marine Towing that operates on

1 the East and occasionally the Gulf Coast of
2 the U.S.

3 We have a Marine steelworks
4 division that supports the marine towing
5 division and does shipyard type work for
6 other customers.

7 And then we have another deep
8 water port in North Charleston, South
9 Carolina. We have stevedoring businesses
10 that support our ports and do work for
11 other industrial maritime companies.

12 We previously had a materials
13 business that we sold in August of 2020 to
14 Heidelberg Materials. And we have a quarry
15 in Bayside, New Brunswick in Canada, and a
16 port that is adjacent to that that
17 facilitates the shipment of our stone from
18 our quarry to a number of locations on the
19 East and Gulf Coast.

20 Q. That's quite a portfolio.

21 Thank you for sharing that.

22 A. Yes, sir.

23 Q. When did you get into the
24 marine towing business, or when did Carver
25 get into the marine towing business?

1 A. Carver Companies got into the
2 marine towing business in 2014.

3 Q. Acquired another operator, or
4 did you stand up your own fleet?

5 A. It was a partnership that was
6 formed with another operator in the New
7 York City market and acquired a push boat
8 and a number of barges in the Gulf and
9 relocated them to New York to begin
10 operations.

11 Q. And who was your partner back
12 then?

13 A. The partner was Roy White of
14 Greater New York Marine Towing.

15 Q. Do you have any official role
16 titles, whether it's a manager, or
17 otherwise in, I'll call it Carver Marine
18 Towing because that's the d/b/a of, I
19 still -- I can never pronounce it.
20 Coeymans.

21 A. Coeymans.

22 Q. Coeymans Marine Towing.

23 A. I have an official title within
24 Carver Companies, and support the
25 management of Coeymans Marine Towing, but

1 no standalone specific title as part of
2 Coeymans or Carver Marine Towing.

3 Q. Okay. Yeah. You may be aware
4 that Mr. Moore told us that he was the
5 general manager. I don't still know
6 whether that's an official title or whether
7 it's just sort of an operating role that he
8 has.

9 Is there a -- is Coeymans
10 Marine Towing a member managed LLC?

11 A. I don't recall specifically if
12 it's member managed.

13 Q. Okay. But as an entity its
14 owned by the Carver Companies as part of
15 this holding entity that you described?

16 A. That is correct.

17 Q. Okay. Do you know if there are
18 any officers of Carver Marine Towing?

19 A. Carver Laraway is the managing
20 member.

21 Q. That's your uncle?

22 A. Correct.

23 Q. And you may have said this, I
24 apologize, but Carver Companies is
25 privately owned?

1 **A. Correct.**

2 Q. How did you first learn of the
3 incident involving the Tug Mackenzie Rose
4 alliding with the Norfolk and Portsmouth
5 Belt Line Bridge in June of 2024?

6 **A. I first became aware that it**
7 **hit the bridge when I received an e-mail**
8 **from what I recall was an attorney for the**
9 **bridge with a letter that was addressed to**
10 **myself.**

11 MR. CHAPMAN: Can you mark that
12 as two, please?

13 (Whereupon, Exhibit 2 was
14 marked for identification.)

15 Q. They were provided to us
16 recently a number of e-mails including this
17 one that's been marked as Exhibit 2.

18 Do you recognize it?

19 **A. Yes.**

20 Q. It appears that you're actually
21 forwarding it to somebody or others based
22 on the top header.

23 You see that?

24 **A. Yes.**

25 Q. But down underneath there's a

1 e-mail that was sent to you and Mr. Moore
2 on June 20th, 2024, with a letter attached
3 to it offered by me.

4 Do you see that?

5 **A. Yes, sir.**

6 Q. Okay. That is the first time
7 you knew of anything involving the tug
8 alliding with the Belt Line Bridge?

9 **A. That's correct.**

10 Q. Okay. At the top of this
11 e-mail, in the two line, it has a number of
12 names in quotation marks. I'm not really
13 sure why that is, but just to kind of run
14 them down. Brian Moore, the general
15 manager of Carver Marine Towing, correct?

16 **A. Correct.**

17 Q. What is CMT dispatch?

18 **A. That is a group e-mail for the**
19 **dispatchers of Carver Marine Towing.**

20 Q. So all of the dispatchers would
21 receive a copy if you send it to that
22 group?

23 **A. Yes.**

24 Q. Do you know how many
25 dispatchers there were at the time?

1 **A. I believe there were two.**

2 Q. Okay. And the next name,
3 Leonard Baldassare, he no longer works for
4 Carver, but at the time he was the port
5 captain of Carver Marine Towing, correct?

6 **A. That is correct.**

7 Q. Who is Mark Pearson?

8 **A. Mark Pearson is a captain that**
9 **has been with or who had been with Carver**
10 **Company since we formed the marine towing**
11 **division. He was one of our senior**
12 **captains and...**

13 Q. So he started from the very
14 beginning like in 2014?

15 **A. Yep, he was our first captain.**

16 Q. And is he still employed by the
17 company?

18 **A. He recently retired.**

19 Q. And then on the CCs it has
20 three -- what look like three e-mail
21 addresses. I don't know what their
22 addresses are, but do you know who Anthony
23 is?

24 **A. That is Antony Cardona, Jr.,**
25 **our attorney at the time.**

1 Q. Does he still represent Carver?

2 A. Not on any specific matters at
3 the moment.

4 Q. Okay. And who is Junior?

5 A. I believe those would go
6 together.

7 Q. They have --

8 A. Anthony Cardona, Jr.

9 Q. Okay. So that's really one
10 e-mail recipient?

11 A. I believe so.

12 Q. Okay. And who's Carlo? Is it
13 Agneta?

14 A. Agneta. He is our insurance
15 broker with Marshall & Sterling.

16 Q. So I didn't find any response
17 to this e-mail and what's been produced so
18 far, but do you recall receiving a response
19 from any of these individuals by e-mail?

20 A. I don't recall specifically.

21 Q. Did anybody call you about it?

22 A. Yes.

23 Q. Who?

24 A. Well, from what I recall, the
25 first phone call I received was from our

1 attorney having read this letter with some
2 serious accusations.

3 MR. RODGERS: Don't tell him
4 what your attorney said to you.

5 Q. Yeah. I'm not asking for
6 whatever your conversation was --

7 A. Yes.

8 Q. -- with your attorney, but I am
9 asking you about who else called you and
10 what conversations you had with them?

11 A. And the other conversation I
12 recall was receiving a call from Brian
13 Moore.

14 Q. And what did Mr. Moore tell
15 you?

16 A. From what I recall, he was
17 aware that there was a incident with the
18 Mackenzie Rose that was referenced in the
19 letter. And he talked through what he knew
20 at the time, and that they were
21 investigating what was going on.

22 Q. Did he tell you whether he had
23 notified the Coast Guard?

24 A. I don't recall.

25 Q. Did he tell you whether he had

1 been contacted by the Coast Guard?

2 **A. I don't recall.**

3 Q. And did he tell you whether he
4 knew anyone else who'd been contacted by
5 the Coast Guard regarding the incident?

6 **A. I don't recall.**

7 Q. Do you have any memory of
8 responding to the e-mail that was sent to
9 you on my behalf on June 20th of 2024 as
10 indicated at 10:41 a.m. on that date in
11 Exhibit 2?

12 **A. I did not directly respond to**
13 **that e-mail --**

14 Q. Did you --

15 **A. -- from what I can recall.**

16 Q. Did you direct anyone else to?

17 **A. I believe our attorney reached**
18 **out to begin correspondence.**

19 Q. And who was your attorney?

20 **A. Anthony Cardona, Jr.**

21 Q. Is it your understanding that
22 Mr. Cardona reached out to me?

23 COUNSEL: Hey, Jim, can you
24 identify for the record, what Bates
25 label that is?

1 MR. CHAPMAN: Yeah, Carver
2 ESI000307.

3 A. I don't know specifically.

4 Q. Did you have any conversation
5 with your insurance broker, Mr. Agneta?

6 A. I eventually had conversations
7 with Mr. Agneta about it. I don't recall
8 specifically when the first one was.

9 Q. Could have been on June 20th,
10 2024?

11 A. It certainly could have.

12 Q. When you received this e-mail
13 with the attached letter, it included this
14 photograph, didn't it?

15 A. It did.

16 Q. Did it appear to you that there
17 was something amiss with the bridge?

18 MR. RODGERS: Objection to
19 form.

20 Can you rephrase that?

21 MR. CHAPMAN: What's wrong with
22 the form?

23 MR. RODGERS: You have to ask
24 him what he saw or what he sees.

25 MR. CHAPMAN: I'm just

1 asking --

2 MR. RODGERS: I object to the
3 term "amiss."

4 Q. Did it appear --

5 MR. RODGERS: Can you rephrase
6 it?

7 MR. CHAPMAN: Okay.

8 Q. Did it appear the bridge was
9 out of the alignment from the picture
10 attached to the letter that was sent to you
11 on June 20th, 2024?

12 MR. RODGERS: Just when he
13 looked at it then?

14 MR. CHAPMAN: Yes.

15 **A. Yes. It looked like it**
16 **possibly could have been out of alignment.**

17 Q. This letter specifically
18 requested that a Carver undertake to
19 preserve and retain various information.

20 Did you initiate any steps to
21 do that?

22 MR. RODGERS: Objection to the
23 extent that it asks for legal advice
24 that he received, but you can answer
25 as to your understanding.

1 A. My understanding was that that
2 was requested of us and that we were to do
3 that.

4 Q. My question though was, did you
5 do anything to do that?

6 A. When I spoke with Brian, I
7 asked him to make sure that he obtained
8 everything and compiled it for our attorney
9 because our attorney was taking lead on
10 correspondence moving forward.

11 Q. And sitting here today, do you
12 know whether anything was ever done to
13 secure any of the mobile devices that were
14 utilized for communication between the tug
15 and either Mr. Baldassare and Mr. Moore on
16 June 15th, 2024?

17 A. I believe Mr. Baldassare's
18 phone has been provided and that the tug
19 phone has as well.

20 I am not certain, but I believe
21 there were actions taken to follow the
22 request in the letter.

23 Q. And provided to whom when you
24 say provided?

25 MR. RODGERS: That's -- you're

1 asking him about attorney-client
2 communications dealing with this
3 litigation.

4 MR. CHAPMAN: No. I'm just
5 asking about the physical devices.
6 The phone on the tug and
7 Mr. Baldassare's phone or any other
8 phone that was involved in the
9 communications that occurred on June
10 15th, 2024 between the tug and either
11 Mr. Moore or Mr. Baldassare.

12 **A. I don't know the specific**
13 **actions that were taken by Brian to comply**
14 **with that.**

15 Q. And this is what I'm asking is,
16 today you still don't know?

17 MR. CHAPMAN: I'm not
18 asking --

19 MR. RODGERS: By counsel we are
20 providing the records of
21 Mr. Baldassare's phone, and the tug
22 phone, and I think you know that.

23 That's what we've provided or
24 we had access to, so.

25 MR. CHAPMAN: Actually I don't

1 know that, but I appreciate you
2 telling me that.

3 MR. RODGERS: Well, it's in
4 the -- it's in our response.

5 MR. CHAPMAN: We don't need to
6 have a debate about it, but
7 Mr. Malik's declaration says
8 otherwise. And --

9 MR. RODGERS: No. Because it
10 wasn't -- we didn't -- we had to get
11 a vender to do that.

12 So I'm just giving you
13 the -- by counsel. I'm not sure the
14 witness has any knowledge, but you
15 can tell him what you know.

16 **A. I don't have specific**
17 **knowledge.**

18 Q. About what's happened to the
19 phones? Just so we're clear on what we're
20 talking about.

21 MR. RODGERS: Personal
22 knowledge?

23 MR. CHAPMAN: Yes.

24 **A. I don't have personal knowledge**
25 **of how that information was obtained and**

1 provided to our insurance counsel.

2 Q. Fair enough. My question
3 though really relates to, you're the
4 corporate representative.

5 A. Correct.

6 Q. And I'm just trying to
7 understand from your perspective, being the
8 corporate representative, what does Carver
9 say or you say on their behalf about the
10 status of those two phones I have been
11 asking about.

12 They have been recovered? They
13 have been secured?

14 MR. RODGERS: Objection.
15 Counsel, he's already answered that.
16 Don't answer that.

17 MR. CHAPMAN: You are not under
18 oath, Mr. Rodgers.

19 MR. RODGERS: Don't -- well, I
20 don't know -- this is discovery we're
21 providing you as counsel, so he's
22 already answered.

23 Do you want to ask the same
24 question again?

25 Go ahead.

1 Q. How about we have the court
2 reporter read it back?

3 MR. RODGERS: And the corporate
4 position is what counsel has provided
5 in this discovery. That's the
6 corporate position.

7 If you want to ask him his
8 personal knowledge, he's here to
9 answer that.

10 (Whereupon, the above record
11 was read back by the court reporter.)

12 **A. I personally was not involved**
13 **in the process to secure and provide the**
14 **phones to our counsel.**

15 Q. Is it your understanding though
16 that it has occurred?

17 **A. That is my understanding.**

18 Q. You mentioned earlier the
19 context of the company's businesses that
20 you engage in cargo handling operations.
21 Is that both South Carolina and your
22 facility in New York?

23 **A. Correct.**

24 Q. Is that all bulk cargo or do
25 you guys handle like containerized traffic

1 or what?

2 A. It's predominantly bulk, but
3 not exclusively.

4 Q. So some intermodal or not?

5 A. A bit of containers, some break
6 bulk and variety of other things from time
7 to time.

8 Q. Are either of the facilities
9 rail served?

10 A. The facility in Queens is not
11 rail served. The facility in North
12 Charleston has a limited rail spur.

13 Q. And what railroads serve that
14 facility in North Charleston?

15 A. Palmetto Rail.

16 Q. That's a short line is, isn't
17 it?

18 A. I don't know.

19 MR. CHAPMAN: Would you mark
20 that as three, please?

21 (Whereupon, Exhibit 3 was
22 marked for identification.)

23 Q. Mr. Laraway, that appears to
24 be -- well, you've been handed Exhibit 3,
25 which appears to be another e-mail from you

1 this time only addressed to Brian Moore
2 also on June 20th of 2024.

3 Do you see that?

4 **A. Mm-hmm.**

5 Q. You need to say yes or no?

6 **A. Yeah.**

7 Q. Thank you.

8 MR. RODGERS: Jim, do you mind
9 stating the Bates stamp just for the
10 record?

11 MR. CHAPMAN: Sure. It's
12 Carver ESI 000191.

13 Q. Let me just start with, who is
14 Dan Albright?

15 **A. Dan Albright is a salesman for**
16 **Carver Companies.**

17 Q. And it appears that he
18 forwarded you something that was obtained
19 from CSX on June 18th of 2024.

20 See that?

21 **A. I do.**

22 Q. Did you read it at the time
23 that he forwarded it to you?

24 **A. I don't recall having read it**
25 **at the time.**

1 Q. Does he routinely forward you
2 things of the nature like this?

3 A. Often.

4 Q. And when you say he is in
5 sales, for which Carver entity?

6 A. He sells a lot of different
7 services including property maintenance.
8 He's sold port services, aggregate sales.
9 At the time, construction work, emergency
10 response.

11 Q. Is he still employed by Carver?

12 A. He is.

13 Q. Do you know whether he
14 forwarded this e-mail to anybody besides
15 you on June 18th, 2024?

16 A. I don't know.

17 Q. Did he call you after
18 forwarding it to you?

19 A. Not that I recall.

20 Q. Did you have any conversation
21 with him after he forwarded you this e-mail
22 regarding its substance?

23 A. Not that I recall.

24 Q. Is the railroad known as CSX a
25 customer of Carver?

1 A. It is.

2 Q. And what type of business does
3 Carver deal with CSX?

4 A. We have provided aggregate
5 materials and ballast to them at a number
6 of locations. As I have mentioned before,
7 we provide emergency response for them.

8 CSX is Dan's largest client and
9 he services them all over the East Coast on
10 various projects from time to time, so he
11 is in frequent contact with CSX
12 representatives.

13 Q. When you say emergency
14 response, you mean, like, if they have a
15 derailment or something?

16 A. Historically, derailments,
17 washouts. In New York, they have a lot of
18 issues related to snow and we've helped
19 them out with snowplowing and removal. And
20 a lot of equipment rental.

21 Q. Is all of that relationship
22 with CSX in the New York area?

23 A. It is not.

24 Q. So it extends down into South
25 Carolina?

1 **A. It is in New England and in the**
2 **southeast, South Carolina, Georgia.**

3 Q. And you -- referring back to
4 Exhibit 2 --

5 **A. Mm-hmm.**

6 Q. -- it appears that two days
7 later you got the letter that my assistant
8 sent to you on June 20th of 2024.

9 Did you connect the dots at
10 that point that these were related?

11 **A. I certainly had questions as to**
12 **whether they were related, which is why I**
13 **remember sending that to Brian.**

14 Q. Okay. Did you have any
15 conversation with Brian Moore afterwards
16 about this?

17 **A. I mean, on the 20th there was**
18 **ongoing conversations related to the**
19 **letter.**

20 **I don't recall if this specific**
21 **e-mail came up in those conversations.**

22 Q. Just to be clear, did you
23 actually talk to your lawyer, I forget his
24 name now, Anthony, Jr. On -- I'm sorry
25 Anthony Cardona, Jr., on June 20th, 2024?

1 **A. Absolutely.**

2 Q. Okay. Did you talk to Brian
3 Moore that day?

4 **A. Yes.**

5 Q. Did you talk to Leonard
6 Baldassare that day?

7 **A. I did not. Not that I recall.**

8 Q. You -- well, do you recall
9 talking to anybody else that sort of worked
10 in the marine towing -- Carver Marine
11 Towing besides Mr. Moore on June 20th?

12 **A. Not specifically.**

13 Q. Did you talk to Dan Albright
14 that day, June 20th?

15 **A. Not that I recall.**

16 Q. How long has Carver owned the
17 Tug Mckenzie Rose?

18 **A. Since 2020.**

19 Q. How much did Carver pay for it
20 when it was acquired?

21 **A. I believe it was approximately**
22 **a million dollars.**

23 Q. One million?

24 THE REPORTER: Yes?

25 **A. Yes, sorry.**

1 Q. And after acquiring it, did
2 Carver have any work done on it?

3 A. There has been work done on it
4 since we've acquired it, yes.

5 Q. Did it require, I don't know,
6 refurbishing or anything to make it
7 operational when you acquired it?

8 A. Not that I recall.

9 Q. Who was it acquired from?

10 A. I believe it was Gellatly. A
11 company with a name that included Gellatly.
12 I don't recall the specific entity.

13 THE REPORTER: Can you just
14 spell that?

15 THE WITNESS: Sure,
16 G-E-L-A-P-E-L-Y, Possibly.

17 MR. RODGERS: Jim, I think it's
18 on survey that we got.

19 MR. CHAPMAN: Can you mark that
20 as -- we are on 4 now?

21 Thank you.

22 A. I was close.

23 (Whereupon, Exhibit 4 was
24 marked for identification.)

25 Q. You've been passed on Exhibit

1 4, which is the abstract of title for the
2 vessel, which with we obtained from the
3 Coast Guard National Vessel Documentation
4 Center.

5 And it appears to document that
6 it was sold by Gellatly & Criscione
7 Services Corp. to Carver Marine -- Coeymans
8 Marine Towing, correct?

9 A. That is correct.

10 Q. And that it appears that at the
11 time of the acquisition there was a
12 \$2 million mortgage placed on the vessel?

13 A. That appears to be correct.

14 Q. Okay. So you told us earlier
15 that you thought you'd paid a million
16 dollars for it, but there's a \$2 million
17 mortgage.

18 Is -- can you explain the
19 difference?

20 A. From what I recall, at the time
21 we purchased it and there was some equity
22 in the vessel and we had planned to do some
23 work in the future, so we were able to take
24 out a mortgage for more than we paid for.

25 Q. So you paid the seller a

1 million dollars, but succeeded in putting a
2 mortgage on it for \$2 million; is that
3 right?

4 **A. That's correct.**

5 Q. And who was that mortgage with?

6 **A. BNB Bank.**

7 Q. Is BNB Bank still in existence
8 today?

9 **A. They are not. They were**
10 **acquired by another bank.**

11 Q. And do you know who they were
12 acquired by?

13 **A. Dime Bank.**

14 MR. RODGERS: His knowledge of
15 who acquired them, Jim, right?
16 Jim?

17 MR. CHAPMAN: Yes.

18 MR. RODGERS: His knowledge.

19 MR. CHAPMAN: That's what he
20 said. I know.

21 MR. RODGERS: I know. He
22 doesn't work for Dime Bank.

23 MR. CHAPMAN: I get that.

24 Q. And continuing with Exhibit 4,
25 it appears further on in 2022 that there

1 was another mortgage placed on the vessel
2 in the amount of \$2,921,213.50, correct?

3 **A. That is correct.**

4 Q. Okay. And for some reason that
5 mortgage was terminated just 30 days later
6 and it was reestablished -- actually it
7 looks like the same mortgage was -- must
8 have been recorded twice for some reason.

9 MR. RODGERS: So one -- one
10 says satisfaction.

11 Q. Yeah. Well, the final entry on
12 this abstract of title says that there is a
13 preferred ship mortgage in the amount of
14 \$2,921,213.50 that was filed on March 13th
15 of 2022.

16 Do you see that?

17 **A. I do.**

18 Q. Okay. With Dime -- and the
19 mortgage is Dime Community Bank.

20 So is there a mortgage in that
21 amount on the vessel today?

22 **A. There is a mortgage on the**
23 **vessel. To my knowledge, there is a**
24 **mortgage on the vessel that had an original**
25 **amount of that.**

1 Q. It's been paid down some?

2 A. Of course, yes.

3 Q. Okay. All right.

4 And do you know whether Dime
5 Community Bank had the vessel appraised
6 before they allowed a mortgage in that
7 amount?

8 A. I don't know specifically if
9 Dime had it appraised.

10 Q. So who on behalf of Carver
11 would've signed these loan documents?

12 A. Carver Laraway.

13 Q. Your uncle?

14 A. Yes.

15 Q. All right. Would you have
16 reviewed them before he signed them?

17 A. Yes.

18 Q. Okay. Were you involved in
19 some way in the, I'll call it refinancing,
20 to put an almost \$3 million mortgage on it
21 in 2022?

22 A. I -- from what I recall, I was.

23 Q. And do you know whether there
24 was a loaned value requirement that Dime
25 Bank imposed in making this loan?

1 Was there some limit on how
2 much they would loan on the vessel based on
3 its value?

4 **A. I don't recall specifically.**

5 Q. Have you ever seen an appraisal
6 for more than that amount of money, 2.9
7 million -- 2,921,213.50?

8 MR. RODGERS: You're talking
9 about the appraisal --

10 MR. CHAPMAN: Yeah, I'm asking
11 if he's -- yeah.

12 MR. RODGERS: -- either a
13 survey or appraisal?

14 MR. CHAPMAN: Either one, yeah.

15 MR. RODGERS: Okay.

16 **A. I recall having seen surveys of**
17 **that vessel that were at a larger number**
18 **than that, yes.**

19 Q. Okay. And what's the largest
20 number that you've seen it valued at based
21 on a survey?

22 MR. RODGERS: Objection. You
23 have the document and I ask that you
24 put it in front of him.

25 MR. CHAPMAN: Well, I'm testing

1 him memory first, Mr. Rodgers.

2 MR. RODGERS: All right. You
3 can test his memory.

4 If you know.

5 **A. The largest appraisal that I've**
6 **seen is the 2025 appraisal that had a range**
7 **that was over \$4 million. I don't recall**
8 **the specific amount or range.**

9 Q. Okay.

10 MR. CHAPMAN: Can you mark that
11 as 5, please?

12 (Whereupon Exhibit 5 was marked
13 for identification.)

14 Q. You've been passed Exhibit 5,
15 which is a condition and valuation survey
16 report addressed to Dime Community Bank on
17 the Tug Mackenzie Rose that's dated late
18 20 -- September 6th, 2021.

19 Do you see that?

20 **A. I do.**

21 Q. Okay. Have you previously seen
22 that?

23 MR. RODGERS: Just before you
24 answer.

25 Have you produced this?

1 MR. CHAPMAN: Yes. And my
2 apologies, this was printed before we
3 actually responded to your discovery
4 last week, so it didn't have the
5 Bates Numbers on it, but it's Bates
6 Number Dime 000231. The documents we
7 got pursuant to subpoena from Dime.

8 MR. RODGERS: That was produced
9 to us?

10 MR. CHAPMAN: Mm-hmm. Yeah.
11 And the -- it ends in 237. So it's
12 231 to 237.

13 Q. Anyway, my question was, have
14 you seen this before?

15 A. I may have at the time.

16 Q. Okay.

17 A. I don't specifically recall.

18 Q. Yeah. If you turn to the
19 second to last page, it's Page 6 of 7 of
20 the exhibit. There at the bottom it says,
21 "Estimated fair market value, \$4 million,"
22 right?

23 A. That is correct.

24 Q. And is that your memory that
25 you recall seeing or knowing of an

1 appraisal in that amount or was it higher?

2 **A. Can you repeat the question?**

3 Q. Yeah. You had previously said
4 that you had seen another appraisal and you
5 recall that it was, I think your words were
6 more than four million, but that's what I'm
7 trying to find out. Is this that
8 appraisal?

9 MR. RODGERS: I think he's
10 talking about a recent one.

11 This is 2021, right?

12 MR. CHAPMAN: Yeah.

13 **A. I testified from what -- I**
14 **testified that the largest appraisal I**
15 **recall having seen was from 2025 and it had**
16 **a range on it.**

17 Q. Okay.

18 MR. RODGERS: And I believe you
19 have that from Meyerrose.

20 Q. Okay. So that's -- I'm curious
21 about that because was it your testimony
22 that that appraisal that you've seen from
23 2025 was for \$4 million or more?

24 **A. From what I recall, yes.**

25 Q. Okay. But you don't think it

1 was from this appraisal from 2021 that's
2 marked as Exhibit 5?

3 MR. RODGERS: Objection to
4 form. You can answer if you
5 understand the question.

6 **A. Correct.**

7 Q. Okay. If you look at the first
8 page of Exhibit 5, it has the name of a
9 person, or an e-mail for a person,
10 Jennifer, I don't know how it's pronounced,
11 deblasi@dime.com.

12 See that?

13 **A. I do.**

14 Q. Do you know who that person is?

15 **A. She is a member of the staff at**
16 **Dime that we've dealt with on a number of**
17 **transactions in the past.**

18 Q. Okay. Was she previously with
19 BNB Bank?

20 **A. From what I recall, she was.**

21 Q. Okay. And to your knowledge,
22 is she still employed by Dime?

23 **A. I'm not sure.**

24 MR. RODGERS: Just for the
25 record, the Exhibit 5 the -- it

NICHOLAS LARAWAY

June 17, 2025

1 references itself as a survey, not as
2 an appraisal.

3 MR. CHAPMAN: Yeah.

4 MR. RODGERS: Just to be
5 accurate.

6 Q. Yes. Page 1, it appears that
7 the title is condition and valuation survey
8 report.

9 MR. RODGERS: Thank you.

10 MR. CHAPMAN: Can you mark that
11 as 6, please?

12 (Whereupon, Exhibit 6 was
13 marked for identification.)

14 Q. This is also a letter -- excuse
15 me, a document that was obtained from Dime
16 Community Bank pursuant to subpoena and
17 it's -- although it doesn't have the number
18 on it, it is Dime000159.

19 And it appears to be some sort
20 of desk review of the other appraisal.

21 It appears to be a desk review
22 of somebody else or the other appraisal, to
23 which it refers.

24 Do you see that?

25 A. I do.

1 Q. It's addressed to Jennifer
2 Pepera. Is that a different person than
3 Jennifer DeBlasi, if you know?

4 A. I'm not sure.

5 Q. Do you know the name Jennifer
6 Pepera at Dime Community Bank?

7 A. It doesn't specifically ring a
8 bell.

9 Q. Okay. But this is a -- at
10 least a letter purporting to be a desktop
11 opinion of an appraisal of the -- excuse
12 me, of a survey of the Tug Mackenzie Rose,
13 correct?

14 MR. RODGERS: Are you going to
15 ask him if he has seen it before --

16 MR. CHAPMAN: No. I'm just
17 asking him if that's what it appears
18 to be.

19 MR. RODGERS: I prefer if you
20 ask him, Have you seen it before?

21 But...

22 MR. CHAPMAN: How about if he
23 answers that question first and then
24 I'll ask him if he's seen it before?

25 MR. RODGERS: It should be the

1 first question, Jim. You know better
2 than that.

3 **A. Can I answer?**

4 Q. Yeah, you can.

5 **A. It appears to be.**

6 Q. Okay. And do you know whether
7 you've seen it before?

8 **A. I don't recall having seen this**
9 **before.**

10 Q. Do you know how much insurance
11 coverage for loss of the Tug Mackenzie Rose
12 the company carries on it?

13 MR. RODGERS: Back then, at the
14 time or now?

15 Q. Well, at the time of the
16 allision with the Belt Line Bridge --

17 **A. I --**

18 Q. -- June of 2024.

19 **A. I do not specifically recall.**

20 Q. Okay. Is there somebody else
21 in your organization who handles insurance
22 for Carver Marine Towing?

23 **A. Yes.**

24 Q. Who's that?

25 **A. It's currently being handled by**

1 **our financial controller.**

2 Q. And who is that?

3 **A. Her name is Melissa Jochum.**

4 Q. Jochum or Yoakum?

5 **A. J-O-C-H-U-M.**

6 Q. Okay.

7 **A. She handles the nuts and bolts**
8 **of valuations, adding and subtracting**
9 **equipment.**

10 MR. RODGERS: Just for the
11 record, Carver has produced the
12 information on the insurance
13 regarding them tug and company
14 pursuant to your demand, Jim, and the
15 further answer of this lawsuit.

16 MR. RYAN: May I ask, is
17 Mr. Rodgers miced up, because I
18 don't -- it's very difficult to hear
19 the objections or whatever's being
20 said?

21 MR. RODGERS: I'm very soft
22 spoken.

23 You get that?

24 MR. RYAN: I heard the last
25 part, not the part before.

1 MR. RODGERS: I'll speak
2 louder.

3 Is this Ryan?

4 MR. CHAPMAN: Yeah.

5 MR. RYAN: Yes, thank you.

6 MR. CHAPMAN: Can you mark that
7 as 7, please?

8 Thank you.

9 (Whereupon, Exhibit 7 was
10 marked for identification.)

11 MR. RODGERS: Just for the
12 record, it's Carver00073 and 7 -- no
13 I'm sorry.

14 MR. CHAPMAN: It's 673.

15 MR. RODGERS: 673 and 674.

16 Q. Here is a copy for you.

17 Mr. Laraway, this was produced
18 by the company in discovery. And I believe
19 it to be a schedule of vessels and
20 the -- including the mounts for which they
21 are insured.

22 And at the top of the second
23 page of this exhibit, it list the Mackenzie
24 Rose. Do you see that very first line?

25 A. I do.

1 Q. And it says that it's the
2 amount insured/agreed, value is \$3,070,000,
3 correct?

4 A. That is correct.

5 Q. Do you understand why it is
6 insured for that amount?

7 MR. RODGERS: In this document?

8 MR. CHAPMAN: No.

9 MR. RODGERS: In this document.

10 Q. Not necessarily in this
11 document, but I'm just trying to understand
12 why the company is insured it in that
13 amount.

14 MR. RODGERS: Just for the
15 record, it's -- I think it's dated
16 11/1/2023.

17 You can answer, if you know.

18 A. The company generally insures
19 the vessel for -- the vessels for a minimum
20 of the fair market value, and when there's
21 a higher replacement value, we try and
22 insure them for more because if in the
23 event that we needed to utilize the
24 insurance, we would need to generally
25 replace it with something.

1 Q. And is it your understanding
2 that amount, that \$3,070,000 is a valuation
3 that's been agreed to between Carver and
4 its insurance company, which appears to be
5 Travelers?

6 MR. RODGERS: On that
7 date -- on the date of the document?

8 **A. That is my general**
9 **understanding.**

10 Q. Okay. And that that would be
11 the agreed value for the life of this
12 particular policy, correct?

13 **A. Subject to any change, but yes.**

14 Q. Yeah. Okay.

15 MR. RODGER: Yeah. This what
16 we produced. It should say --

17 MR. CHAPMAN: Where's the next
18 exhibit, please?

19 THE REPORTER: That's the next
20 one.

21 Q. I'm going to pass Exhibit 8,
22 Carver 001929 through 1917.

23 (Whereupon, Exhibit 8 was
24 marked for identification.)

25 MR. RODGERS: Do you have one

1 for me?

2 MR. CHAPMAN: Sure.

3 MR. RODGERS: Or just take
4 yours.

5 MR. CHAPMAN: You ignore my
6 note. He's already answered the
7 question, but this...

8 MR. RODGERS: Can I mark it or
9 you need it back?

10 MR. CHAPMAN: No, you can mark
11 it up.

12 MR. RODGERS: Just so you know,
13 I'll cross that out.

14 MR. CHAPMAN: Yeah.

15 Q. This document was produced to
16 us by Carver, so I presume that it's in
17 Carvers files, correct?

18 **A. Yes.**

19 Q. Okay. And it is a -- there's a
20 summary page on the front, but then on
21 page, the second page of this exhibit, it
22 says "Appraisal as of January 21, 2020 on
23 the Mary Gellatly." Right?

24 **A. That is correct.**

25 Q. Okay. So this presumably was

1 done before it was acquired. And it was
2 done for the account of Carver according to
3 the certification there on Page 1930,
4 correct?

5 **A. That is correct.**

6 Q. Okay. And the fair market
7 value opinion as of January 31, 2020 is
8 stated on the first page is \$3,070,000,
9 correct?

10 **A. That is correct.**

11 Q. Okay. That's not the
12 replacement cost, correct?

13 **A. Correct.**

14 Q. All right. And to your
15 knowledge, has the vessel been
16 assured -- insured on an agreed value basis
17 for \$3,070,000 going back to 2020, to your
18 knowledge?

19 **A. I don't specifically know.**

20 Q. Any reason to think that it
21 would be something different than that?

22 MR. RODGERS: If you know.

23 Don't guess.

24 **A. I don't specifically know.**

25 Q. Okay. And who in your

1 organization would you expect to know?

2 A. I would've expected Brian Moore
3 as the general manager, Melissa Jochum who
4 could look that up, but she wouldn't have
5 specific knowledge because she hasn't been
6 here that whole time.

7 Q. Okay. The way to test that is
8 to actually go back and look at all
9 those --

10 A. Of course.

11 Q. -- previous policies and see
12 what it's insured for, correct?

13 A. Correct.

14 Q. All right. Has the amount of
15 insurance for the vessels been increased,
16 to your knowledge since the casualty, since
17 the allision?

18 A. I believe that it has been
19 increased recently in 2025 after completion
20 of a shipyard that was done.

21 Q. Okay. Do you know what it is
22 now?

23 A. I don't specifically know.

24 Q. Is it over four million.

25 MR. RODGERS: The insurance?

1 MR. CHAPMAN: Yeah, the agreed
2 value.

3 MR. RODGERS: Or the --

4 MR. CHAPMAN: The agreed value.

5 MR. RODGERS: Yeah.

6 MR. CHAPMAN: Yeah.

7 **A. I would believe so.**

8 Q. Okay. So you did mention that
9 there was a -- you thought a 2025 survey
10 that you've seen and it provides a
11 valuation that you think exceeds
12 \$4 million.

13 And is it your understanding
14 that on that basis, it's been insured for
15 whatever that survey reported the fair
16 market value to be?

17 MR. RODGERS: Objection to
18 form. You can answer if you
19 understand the question.

20 **A. That would be my understanding**
21 **of the process to increase the insurance**
22 **value, yes.**

23 Q. Okay. Is there any reason we
24 can't get a copy of that appraisal?

25 MR. RODGERS: You have it, it's

NICHOLAS LARAWAY

June 17, 2025

1 Meyerrose.

2 MR. CHAPMAN: Meyerrose did one
3 in 2024 for your limitation actually.

4 MR. RODGERS: No, I believe
5 they did one in 2025.

6 MR. CHAPMAN: Well, I --

7 MR. RODGERS: So --

8 MR. CHAPMAN: I'd need to see
9 it. Can you give me the Bates
10 Numbers? We'll be happy to go look
11 it up.

12 MR. RODGERS: Yeah. Just give
13 us a second. I'm talking to counsel.

14 One shows April 1st 20 -- yeah.
15 2025. See if this dates -- no, there
16 isn't on this one. Yeah, 001962.

17 MR. CHAPMAN: What does it
18 start with though?

19 MR. RODGERS: Carver.

20 MR. CHAPMAN: Just says Carver?

21 MR. RODGERS: What number?

22 MR. CHAPMAN: Yeah. Some of
23 your productions say Carver and some
24 have a long name.

25 MR. RODGERS: This is what I

1 sent to you after I looked at
2 Meyerrose. Remember we -- you
3 subpoenaed them.

4 MR. CHAPMAN: Okay.

5 MR. RODGERS: And then I -- we
6 did a privilege review copy and sent
7 it to you.

8 MR. CHAPMAN: All right. Did
9 you hold anything on the basis of
10 privilege?

11 MR. RODGERS: On that?

12 MR. CHAPMAN: Yeah.

13 MR. RODGERS: No. No.

14 MR. CHAPMAN: Carver, what is
15 it? 001963?

16 MR. RODGERS: That's correct.

17 MR. CHAPMAN: Okay.

18 MR. RODGERS: Do you want to
19 take a break and --

20 MR. CHAPMAN: Yeah, I'd like to
21 take a look at it.

22 MR. RODGERS: -- it's passed an
23 hour, so I'll see if I have a copy in
24 my office.

25 MR. CHAPMAN: Okay.

NICHOLAS LARAWAY

June 17, 2025

1 MR. RODGERS: If not, I'll
2 print it out.

3 MR. CHAPMAN: All right.

4 MR. RODGERS: You guys, we have
5 coffee here. This is also a coffee
6 room.

7 THE REPORTER: Okay.

8 MR. RODGERS: Opposing
9 counsel's not allowed to go in.

10 THE VIDEOGRAPHER: We are going
11 off the record. The time is 11:05
12 a.m.

13 Off the record.

14 (Whereupon, a short recess was
15 held at this time.)

16 THE VIDEOGRAPHER: Beginning
17 Media Number 2. We are back on the
18 record. The time is 11:18 a.m.

19 Q. We'll come back to the
20 appraisal in a little bit. Here it is.

21 MR. RODGERS: Copies in the
22 bottom.

23 MR. NANAVATI: That's
24 there -- wait, which is the original?

25 MR. RODGERS: Copies in the

1 bottom.

2 MR. NANAVATI: Okay, good.

3 MR. RODGERS: I guess that one
4 has -- it's -- yeah. The ones to
5 mark, this one, Jim?

6 MR. CHAPMAN: Yeah, what'll
7 that be? 9?

8 **THE WITNESS: This one was 8.**

9 THE REPORTER: 8?

10 **THE WITNESS: Nope, this was 8.**

11 MR. CHAPMAN: Yeah. That's 8,
12 so this would be 9.

13 THE REPORTER: Thank you.
14 Marked.

15 (Whereupon, Exhibit 9 was
16 marked for identification.)

17 Q. I didn't realize it was quite
18 such a thick document, but I think we're
19 looking at maybe the first 10 pages of this
20 thing and the rest of it is all
21 photographs.

22 But is this the survey that you
23 were recalling in your earlier testimony
24 that it was done in 2025 by Meyerrose and
25 Company?

1 **A. Yes.**

2 Q. And it appears that the
3 valuation set forth in this report marked
4 Exhibit 9, is four and a half to five
5 million dollars, if I am reading Page 9
6 correctly?

7 **A. That is correct.**

8 Q. And do you know how much
9 it -- the vessel's currently insured for
10 then?

11 **A. I don't know specifically.**

12 Q. Did you understand they went
13 up?

14 **A. Yes.**

15 Q. Got you. So at the time of the
16 allision, what is Carver's understanding of
17 the value of the vessel, the Tug Mackenzie
18 Rose?

19 **A. Approximately two and a half**
20 **million dollars.**

21 Q. And what is that based upon?

22 **A. A survey that was done recently**
23 **after the allision.**

24 Q. And was that the survey by
25 Mr. Meyerrose?

1 **A. That is my understanding.**

2 Q. Okay. Have you seen that
3 survey recently, Mr. Laraway?

4 **A. Yes.**

5 Q. Let me show you what was
6 previously marked in Mr. Moore's deposition
7 as Exhibit 33.

8 **A. Thank you.**

9 MR. RODGERS: Jim?

10 MR. CHAPMAN: I do not have an
11 extra copy of it. That's the
12 original from the previous
13 deposition.

14 MR. RODGERS: Okay. Yeah.
15 Good. Let me have this.

16 Q. Is that the survey you're
17 talking about?

18 **A. Yes, sir.**

19 Q. And the valuation is two and a
20 half million dollars?

21 **A. That's the high end of the**
22 **range, yes, sir.**

23 Q. Okay. Other than that survey,
24 is there anything else on which Carver
25 bases its valuation of the Tug Mackenzie

1 Rose as of the date of the allision in
2 2024?

3 MR. RODGERS: Objection to
4 form. You can answer if you
5 understand it.

6 A. Nothing specifically that I can
7 bring to mind.

8 Q. Okay. I mean, okay.

9 A. Industry experience.

10 Q. I'm sorry?

11 A. I said the industry experience
12 of our leaders.

13 Q. Which includes yours?

14 A. Which would include more
15 specifically Brian Moore as the general
16 manager and expert in the maritime field.

17 Q. And has he ever told you that
18 he thought that as of the date of the
19 casualty, the vessel was worth something
20 betwee -- up to two and a half million
21 dollars?

22 A. I don't recall having that
23 specific conversations with him.

24 Q. All right. Great. Thank you.
25 I'll take that back. Thank you.

1 The vessel at -- Tug Mackenzie
2 Rose, at the time of the of allision, was
3 pushing a Weeks barge to a job site where
4 some bridge components or things that were
5 needed to construct a bridge would do; is
6 that right?

7 **A. It was pushing a Weeks barge to**
8 **or from a job site, I don't know.**

9 Q. Okay.

10 **A. In which direction.**

11 Q. And how much was Carver being
12 paid for making that transit?

13 **A. I don't know the specific**
14 **amount.**

15 Q. You don't?

16 **A. Not off the top of my head.**

17 Q. Carver would have been paid
18 something for --

19 **A. Absolutely.**

20 Q. -- delivering that cargo,
21 right?

22 **A. Yes.**

23 Q. And what job was it for?

24 **A. We were hired by -- my**
25 **understanding is that we were hired by**

1 Skanska on a one-off basis to move this
2 barge for a project they were participating
3 in.

4 Q. So this is not like a long-term
5 project where you were making lots of runs?
6 It was just once?

7 A. They contacted us on a one-off
8 basis to move it as they do from time to
9 time.

10 Q. And how much did they pay
11 Carver to do the job?

12 A. It was a lump some fee. I do
13 not recall the specific amount. I believe
14 it was in the documents we provided.

15 MR. CHAPMAN: Is that true? Is
16 that -- Mr. Rodgers, is that a
17 document that's actually been
18 produced so far?

19 MR. RODGERS: I know we were
20 looking for it. I'm not sure if
21 we've produced it yet.

22 Q. So just to be clear, if you can
23 take a look at Exhibit 1 really quick.

24 On the list of topics.

25 A. Mm-hmm.

1 Q. Topic Number 7 is freight
2 towage or higher received or owed for the
3 service of the vessel at the time of the
4 incident.

5 A. Yes.

6 Q. Right. So I'm trying to
7 understand, what did you do to prepare
8 yourself to be able to testify on that
9 topic?

10 MR. RODGERS: Objection. Don't
11 testify as to what you've discussed
12 with your lawyers, me or any other
13 lawyer.

14 You may -- can I confer with
15 the witness?

16 Q. Let me ask this --

17 MR. RODGERS: It's to your
18 benefit.

19 MR. CHAPMAN: Let me ask
20 this --

21 MR. RODGERS: All right. Go
22 ahead.

23 Q. Did Carver invoice Skanska for
24 this job?

25 A. I believe so.

1 Q. Okay. Did Skanska demand some
2 reduction, or some credit or discount --

3 A. Not that I'm aware of.

4 Q. -- that resulted in Carver not
5 getting paid?

6 A. Not that I'm aware of.

7 Q. Okay. So to your knowledge,
8 Skanska paid whatever they were invoiced
9 for?

10 A. That is my understanding.

11 Q. Have you ever seen that
12 invoice?

13 A. I do not recall having seen the
14 specific invoice.

15 Q. Okay. Did you talk to anybody
16 besides the lawyers about the amount of
17 that invoice?

18 A. I did.

19 Q. Okay, and what were you told?

20 A. I was told that we did the work
21 for Skanska. They reached to us on a
22 one-off basis to move it and we charged
23 them lump sum. I do not recall the amount,
24 that is the simple problem here.

25 Q. You think somebody did tell you

1 the amount, you just don't remember it?

2 A. Correct.

3 Q. Okay. So is there some way to
4 find that out?

5 MR. RODGERS: Yes.

6 A. Yes.

7 MR. RODGERS: I believe in our
8 response. We may have said we were
9 still searching for that. And that
10 would be the witness, I believe, has
11 been searching for it, no. Maybe
12 not.

13 A. I spoke to our salesmen about
14 the information, asked him to forward it
15 over. We spoke about it over the phone, he
16 did not send it to me yet, but we spoke
17 about it. That's how I have the knowledge
18 of the business arrangement.

19 Q. Who was the salesman?

20 A. Dylan Galm.

21 Q. Well, let me just kind of ask a
22 little bit around that then. Is there a
23 process to give a quote, this is what it's
24 going to cost or did they just call you up
25 and say hey, we need you to move this barge

1 for us. Tell us what it's going to be or
2 send us an invoice when you're done?

3 A. The process generally includes
4 quoting from time to time, when it's, "Can
5 you do something for me? Give me a number,
6 we do it," and we send an invoice and we
7 get paid for it. So it could happen in
8 either scenario.

9 Q. Okay. And do you know what
10 happened in this scenario with Skanska?

11 A. Dylan indicated with -- to me
12 when I spoke to him that there was a rate
13 sheet provided, a one off, and that we did
14 the work, we invoiced him for it and to his
15 knowledge, we were paid for it. And I can
16 obtain that number for you during a break
17 if you'd like.

18 Q. Okay.

19 MR. RODGERS: If not, we'll
20 leave a -- you could leave a space in
21 the record for that amount and we'll
22 get it to counsel.

23 A. _____
24 _____.

25 Q. So I want to ask you some

1 questions about topic number nine. The
2 operation course and speed of the vessel on
3 the day of the incident.

4 Did you talk to anybody, not
5 the lawyers, but did you talk to anybody
6 besides the lawyers to educate yourself
7 about the operation course and speed of the
8 vessel on the date of the incident?

9 MR. RODGERS: Subject to, I
10 believe our objection --

11 Q. Yes.

12 MR. RODGERS: -- in the written
13 objections, he can answer.

14 **A. I did not.**

15 Q. Okay. Why not?

16 MR. RODGERS: Objection to
17 form.

18 **A. I spoke with our attorneys, I**
19 **reviewed the information we provided and I**
20 **believe that Brian Moore and Lenny are the**
21 **appropriate people to testify as to those**
22 **items related to the actions of the tugboat**
23 **on that day.**

24 Q. So you are not in a position to
25 testify about that topic based on anything

1 you've done to prepare for this deposition?

2 MR. RODGERS: He's relying on
3 the testimony of Mr. Moore and
4 Mr. Baldassare.

5 Q. Maybe I'm -- I apologize.

6 MR. RODGERS: As well as the
7 documents produced to date.

8 Q. I may have misunderstood your
9 answer. You said that that information
10 would be in the hands of or in the minds of
11 or knowledge of Mr. Moore and
12 Mr. Baldassare?

13 A. And what they have testified
14 to, and all of the information we have
15 provided today.

16 Q. Okay. And did you read their
17 testimony?

18 A. I did not.

19 Q. Did you read a summary of their
20 testimony?

21 MR. RODGERS: Objection.

22 Attorney-client. Don't answer that.

23 Q. I'm not asking what's in the
24 summary --

25 MR. RODGERS: Don't answer

1 that.

2 Q. I'm only asking whether you
3 have read a summary of their testimony.

4 MR. RODGERS: Objection. Does
5 that include what the attorneys have
6 provided?

7 MR. CHAPMAN: It might have.
8 I'm not asking what the substance
9 was.

10 MR. RODGERS: Don't answer any.
11 No. You're answering what we did to
12 prep him and that -- I mean, you're
13 asking what we did to prep him.

14 MR. CHAPMAN: Well, are you
15 telling the witness not to answer,
16 Mr. Rodgers?

17 MR. RODGERS: I think I
18 objected.

19 Q. Okay. I understand your
20 objection. I'm just asking, did you read a
21 summary of what either Mr. Baldassare or
22 Mr. Moore testified to?

23 MR. RODGERS: You can answer if
24 you read a summary. Not what you
25 read.

1 A. I did read summaries.

2 Q. And do you know who prepared
3 the summaries?

4 MR. RODGERS: What was the -- I
5 didn't hear you.

6 Q. I said do you know who prepared
7 the summaries?

8 MR. RODGERS: Don't answer
9 that. I'm directing the witness not
10 to answer.

11 Q. Well, I'm just trying to
12 understand. Was it like ChatGPT that
13 prepared them or was it an actual human
14 being, if you know?

15 MR. RODGERS: You're asking him
16 if it came from his attorneys or from
17 somebody else?

18 MR. CHAPMAN: Well, it might
19 have come from his attorneys.

20 MR. RODGERS: Well, why don't
21 you establish that so you're not
22 asking him privileged information?

23 MR. CHAPMAN: Well, I started
24 by asking if he knew who had prepared
25 the summaries.

1 MR. RODGERS: You're getting
2 into attorney-client preparation.
3 You can answer if your attorneys
4 provided you, or somebody else.

5 A. It was provided by my
6 attorneys.

7 Q. So --

8 MR. RODGERS: In preparation
9 for this deposition?

10 THE WITNESS: Yes.

11 MR. RODGERS: I just want to
12 make that clear, Jim, that we -- that
13 he's prepared himself.

14 Q. And do you -- what was the
15 speed of the vessel when it allided with
16 the Belt Line Bridge on June 15th, 2024?

17 MR. RODGERS: Objection. Asked
18 and answered. You can answer it
19 again.

20 A. I would rely on the testimony
21 of Brian and Lenny as well as the documents
22 we've provided in discovery.

23 Q. Okay. But what was the speed?
24 I can -- I hear you saying you're relying
25 on them.

1 A. I don't know off the top of my
2 head.

3 Q. You don't?

4 A. I do not.

5 Q. What was the heading of the Tug
6 Mackenzie Rose at the time that it allided
7 with the Norfolk and Portsmouth Belt Line
8 Bridge on June 15th, 2024?

9 MR. RODGERS: Objection. Asked
10 and answered. You can --

11 A. I would repeat my prior answer.

12 Q. How long ago did you review the
13 summaries that you've mentioned of the
14 testimony of Mr. Baldassare or Mr. Moore?

15 MR. RODGERS: Objection. I'm
16 directing the witness not to answer.
17 And I know what you are doing, Jim.
18 You are trying into get into
19 the -- to attorney-client work
20 process.

21 Q. I'm --

22 MR. RODGERS: Yeah, you are.
23 So don't answer that. Maybe ask it a
24 different way. I don't think there's
25 another way, but ask it and I'll let

1 him answer.

2 Q. At the time of the allision,
3 what was Carver's procedure for reporting
4 allisions?

5 A. The procedure was contained
6 within the safety management system.

7 Q. Is that the section called the
8 incident response, section 9.5?

9 A. I believe so, yes.

10 Q. Let me pass over to you the
11 document that was marked as Exhibit 4
12 during Mr. Moore's deposition. These are
13 sections of the safety management system
14 previously produced to us by Carver. I
15 want to ask you some questions about them.

16 MR. RODGERS: You don't have a
17 copy for me?

18 MR. CHAPMAN: I don't. I
19 brought the original and the copy
20 that I took.

21 MR. RODGERS: It's all right.

22 MR. CHAPMAN: From the deps.

23 But if you want to --

24 MR. RODGERS: Well, let me go
25 through it quickly.

1 MR CHAPMAN: You still have
2 your copy back in your office?

3 MR. RODGERS: I'd have to have
4 like 50 documents in here. It's
5 okay. I know what this is.

6 Q. So if you look towards the end
7 of the document and I didn't have anything
8 to do with numbering. So these seem like
9 they are not numbered in the right order,
10 but they follow the section numbers of the
11 safety management system. You see that?

12 A. Okay.

13 Q. Based on the title page. So
14 towards the end, you should see a page that
15 looks like this and --

16 A. What does it say on the bottom?
17 Carver number?

18 Q. It says Carver number 163.

19 MR. RODGERS: 163?

20 Q. Mm-hmm. 000163.

21 MR. RODGERS: You know, Jim,
22 let's take a break. I'm going to
23 just see if -- I think I have a pile
24 of the exhibits we used that week and
25 that should be in it, right?

1 MR. CHAPMAN: Yeah. That's
2 fine. You want to go grab it?

3 MR. RODGERS: Two minutes.
4 Yeah.

5 THE VIDEOGRAPHER: We are going
6 off the record. The time is 11:40
7 a.m.

8 THE VIDEOGRAPHER: Beginning
9 Media Number 3. We are back on the
10 record. The time is 11:50 a.m.

11 Q. Mr. Laraway, do you have
12 Exhibit 4 from Mr. Moore's deposition in
13 front of you?

14 A. I do.

15 Q. And then we were referring to
16 the section labeled 9.5 accident/incident
17 reporting.

18 A. I can take this apart, right?

19 MR. RODGERS: Yes.

20 Q. Starts at Carver 000163. You
21 see that?

22 A. I do.

23 Q. Okay. And it's clear this is
24 the safety management system requirements
25 around what needs to be done as far as an

1 incident or accident reporting procedure,
2 correct?

3 **A. That is my understanding.**

4 Q. Okay. Have you reviewed this
5 before your testimony today?

6 **A. I have in general reviewed it,**
7 **yes.**

8 Q. So the two reporting
9 priorities, first is the master and that's
10 the master of the tug, or master of the
11 vessel, correct?

12 **A. Yes.**

13 Q. "We'll notify the office as
14 soon as practical after a marine casualty."
15 And second bullet, "The master will notify
16 the nearest USCG unit," which I take to
17 mean U.S. Coast Guard unit, "as soon as
18 practical after a marine casualty," right?

19 **A. That's what that says, yes.**

20 Q. Okay. And that's Carver's
21 procedure; isn't it?

22 **A. That is what that says, yes.**

23 Q. All right. And then it appears
24 to actually include the entire text of a
25 few sections of the code of federal

1 regulations as part of the
2 incident/accidents' reporting procedures,
3 right? It doesn't?

4 **A. I'm sorry. No, he --**

5 Q. Oh, he took it away from you?

6 **A. Yes.**

7 MR. RODGERS: Yeah, I did.

8 Just an objection to the extent
9 you're asking him any kind of a legal
10 question or conclusion.

11 Q. So --

12 MR. RODGERS: Could you refer
13 to what you're saying when you say code of
14 federal regulation? What you are pointing
15 to?

16 Q. Yeah. They're on Page 163
17 under the heading "Marine Casualty or
18 Incident." It refers to 46 CFR 4.03-1,
19 correct?

20 **A. Correct.**

21 Q. All right. And on the
22 following pages it refers to further
23 sections of 46 CFR 4.03, 4.05?

24 **A. That is correct.**

25 Q. Yeah. Okay. So Carver's

1 policy is to follow the code of federal
2 regulations?

3 MR. RODGERS: Objection to
4 form.

5 You can answer if you
6 understand the question.

7 **A. Our policy is to follow these**
8 **specific regulations.**

9 Q. Okay. So if you turn to Page
10 164, under the section, "Notice of Marine
11 Casualty 46 CFR 4.05-1," in Section A, it
12 says, "Immediately after addressing
13 resultant safety concerns, the owner,
14 agent, master operator or person in charge
15 shall notify the nearest Sector Office,
16 Marine Inspection Office or Coast Guard
17 Group Office whenever a vessel is involved
18 in a marine casualty consisting in," and
19 it's got a bunch of sub parts, right?

20 **A. It does.**

21 Q. So the first one is "Unintended
22 grounding or unintended strike of (allision
23 with) a bridge," correct?

24 **A. That's correct.**

25 Q. Okay. To Carver's knowledge or

1 understanding, was the allision with the
2 Norfolk and Portsmouth Belt Line Bridge on
3 June 15th, 2024 unintended?

4 MR. RODGERS: Just what he
5 understood at the time? What they
6 understood at the time or now?

7 Q. I'm asking him whether
8 he -- whether Carver believes that it was
9 unintended?

10 MR. RODGERS: Okay.

11 A. Yes.

12 Q. Okay. You don't have any
13 information to suggest that it was an
14 intended allision, correct?

15 A. Correct.

16 Q. Okay. So in the context of
17 this reporting obligation, did Carver
18 immediately notify any of these Coast Guard
19 designated offices regarding the allision
20 with the Belt Line Bridge?

21 A. Carver referring to myself and
22 the company, or Carver Marine Towing, or
23 anyone?

24 Q. Okay. Well, you are here on
25 behalf of Carver Marine Towing?

1 **A. Yes.**

2 Q. Or Coeymans doing business as
3 Carver Marine Towing, right?

4 **A. Yes.**

5 Q. So in that capacity, I am
6 asking, did Carver notify any of those
7 Coast Guard offices immediately after the
8 allision?

9 **A. I'm not aware that they did.**

10 Q. Okay. And when is the first
11 time that Carver notified the Coast Guard
12 of the allision?

13 **A. My understanding is that the**
14 **first correspondence with the Coast Guard**
15 **regarding this was days after it happened.**

16 Q. And what is Carver's
17 understanding of the reasons why it did not
18 notify the Coast Guard immediately after
19 the allision?

20 **A. My understanding from preparing**
21 **for this deposition is that the original**
22 **report provided to Lenny was that it was**
23 **strike between the barge and fendering and**
24 **not the bridge structure. It was not until**
25 **days later that the fact that the bridge**

1 was struck came to light.

2 Q. And who reported that
3 information to -- you called him Lenny,
4 that's Mr. Baldassare, right?

5 A. Leonard. Yep.

6 Q. Who reported that information
7 to Mr. Baldassare?

8 A. It was the captain or the mate,
9 I don't recall specifically.

10 Q. The captain being Christopher
11 Miller?

12 A. Yes.

13 Q. Who's now deceased?

14 A. Yes.

15 Q. And the mate being James
16 Morrissey?

17 A. Correct.

18 Q. Who no longer works for the
19 company?

20 A. Correct.

21 Q. So is it Carver's assessment
22 that one or both of them conveyed false
23 information to Mr. Baldassare?

24 MR. RODGERS: Objection to the
25 term false, but you can answer if you

1 understand the question.

2 A. It is my understanding that
3 incorrect information was provided to
4 Lenny.

5 Q. By either Captain Miller or
6 Captain Morrissey?

7 A. Correct.

8 Q. How did Carver then become
9 aware that that information was incorrect?

10 MR. RODGERS: Go ahead if you
11 know.

12 A. I would have to rely on the
13 testimony of Lenny and Brian as to how they
14 become aware that the information was
15 correct.

16 Q. Was it my letter that was
17 e-mailed to you on June 20th, 2024?

18 MR. RODGERS: When the witness
19 had knowledge?

20 Q. Yes. Mm-hmm.

21 A. That is when I first had
22 knowledge that there was a strike between
23 the barge and the bridge.

24 Q. And did you come to learn that
25 either Mr. Baldassare and Mr. Moore knew of

1 the strike with the bridge? With the
2 bridge, not the fender system prior to the
3 letter that I sent to you on June 20th,
4 2024?

5 MR. RODGERS: Who were the
6 employees you just mentioned?

7 Q. Moore and Baldassare.

8 **A. That is my understanding.**

9 Q. That they did know of it before
10 I sent the letter to you?

11 MR. RODGERS: Objection. No.
12 That's not what he's saying.

13 MR. CHAPMAN: Maybe I
14 misunderstood. That's what I'm
15 trying to tease out.

16 MR. RODGERS: I think you're
17 mixing up not intentionally, but
18 he -- and the witness could be
19 getting mixed up what the captain and
20 Morrissey knew, and what Moore and
21 Baldassare knew.

22 Q. That's what I'm trying to find
23 out.

24 MR. RODGERS: Well, it's
25 getting mixed up because you asked

1 first the Captain Morrissey, but now
2 it's Baldassare, and I don't want him
3 confused.

4 Q. I'm just trying to find out if
5 you became aware that Mr. Moore or
6 Mr. Baldassare knew that the original
7 information that was provided by either
8 Captain Morrissey or Captain Miller on the
9 date of the allision was incorrect at any
10 time before you received my letter on June
11 20th of 2024?

12 A. I am not aware of when they
13 specifically learned that they had been
14 provided incorrect information about it
15 hitting the fendering, not the bridge.

16 Q. But did you come to learn that
17 they knew of it before you did?

18 MR. RODGERS: Objection.

19 Q. That they knew of the incorrect
20 information before you did?

21 MR. RODGERS: Objection to
22 form. You're making a statement. You are
23 asking if he knows that they knew
24 beforehand or are you telling him they knew
25 beforehand? So my objection is to the

1 form.

2 MR. CHAPMAN: If you want to
3 make a form objection, just make a form
4 objection rather than continuing to --

5 MR. RODGERS: I mean, if you
6 are not going to re-do the question,
7 then I'll just tell him not to answer
8 it. So I'd ask that you redo the
9 question in a proper form.

10 MR. CHAPMAN: Okay.

11 MR. RODGERS: So it's not to
12 confuse the witness.

13 MR. CHAPMAN: So I'm not going
14 to re-ask the question. Okay. If
15 you want me to tell him not to
16 answer, that's your call.

17 MR. RODGERS: I know you want
18 me to do that, but we'll see what
19 happens. You want to repeat the
20 question?

21 **A. Can you repeat the question?**

22 MR. CHAPMAN: Sure. Madam
23 Court Reporter, could you read it
24 back, please?

25 (Whereupon, the above record

NICHOLAS LARAWAY

June 17, 2025

1 was read back by the court reporter.)

2 MR. RODGERS: Do you understand
3 the question?

4 A. I understand the question. I'm
5 not sure as to those facts, you would have
6 to rely on their testimony as to when they
7 became aware.

8 Q. To Carver's understanding, did
9 anyone contact the Norfolk and Portsmouth
10 Belt Line regarding the allision at any
11 time prior to my letter to you on June
12 20th, 2024?

13 A. Not that I'm aware of.

14 Q. As part of your
15 responsibilities with Carver, have you ever
16 had occasion to access the safety
17 management system for Carver Marine Towing?

18 A. Access it? I have never had
19 occasion to access it directly, no.

20 Q. Okay. You -- so never go to
21 look things up, or try to understand what's
22 in it or that's sort of thing --

23 MR. RODGERS: Objection to
24 form.

25 Q. -- in your role with Carver?

1 MR. RODGERS: You can answer.

2 Objection to form.

3 A. I have not been required to
4 access it. If I ever had any questions, I
5 would ask it of the general managers.

6 Q. So any of the sections of the
7 safety management system that you have
8 reviewed have been in connection with
9 attempting to prepare for this deposition,
10 right?

11 A. Any of the sections that I have
12 reviewed recently have been in connection
13 with this deposition, correct?

14 Q. All right. So let me ask you
15 the, again referring to Exhibit 4. And you
16 may want to put a paper clip back on that
17 just so it doesn't get all out of order?

18 A. I can just -- I'll close it and
19 get back there if I need to.

20 Q. Okay. So there is a section
21 7.3 in Exhibit 4, which looks like a form
22 that you would fill out.

23 It starts at the --

24 A. I can, yeah.

25 Q. Bates Number at the bottom is

1 Carver 000898.

2 Have you reviewed that before
3 today?

4 MR. RODGERS: Hasn't seen it
5 before the deposition.

6 Q. Well, you can call it seen,
7 yeah. I'm just trying to find out if it
8 was something that you looked at before
9 today?

10 MR. RODGERS: I prefer if you
11 ask him, has he seen it before today?

12 **A. I have seen the form. I**
13 **haven't reviewed it --**

14 Q. Okay.

15 **A. -- in specific detail.**

16 Q. If you turn to the second page
17 of the form. Page 899. There is a
18 numbered section 1.13, "Lookout." You see
19 that?

20 **A. Yes.**

21 Q. Okay. It says, "It's
22 required." Do you see the text required
23 over in the right-hand side?

24 **A. That's correct.**

25 Q. Okay. Do you know the purpose

1 of requiring lookout information as part of
2 this form?

3 MR. RODGERS: Objection to
4 form. He is not here as an expert.
5 You can answer as to what he knows.

6 A. As to my personal knowledge, I
7 do not know why.

8 Q. Okay. This is a Carver form
9 though?

10 A. Correct.

11 Q. Okay. If you could turn to the
12 section beginning with 7.5 titled
13 "Navigation." The Bates Number is Carver
14 000817.

15 Do you see the form -- excuse
16 me, the section?

17 A. I do.

18 Q. Okay. It actually begins on
19 the prior page. So it begins on 816. But
20 I do want to ask you a question about 817.
21 In the middle of the page it says, "Use of
22 autopilot if equipped." Do you see that?

23 A. I do.

24 Q. Was the Mackenzie Rose equipped
25 with an autopilot?

1 **A. That is my understanding.**

2 Q. Okay. And as part of the
3 navigation section of the safety management
4 system, there's no company prohibition on
5 using the automatic pilot that's placed on
6 any of the operators of the vessels,
7 correct?

8 MR. RODGERS: Objection. If
9 you're asking him as an expert or as
10 mariner, he's already testified he's
11 not. To the extent of your
12 knowledge, you can answer.

13 **A. Can you repeat the question,**
14 **please?**

15 Q. Yeah. Could you read it back,
16 please?

17 (Whereupon, the above record
18 was read back by the court reporter.)

19 MR. RODGERS: Same objection.

20 Jim, are you asking him what it
21 says or are you asking him what he
22 knows?

23 MR. CHAPMAN: Well, I'm asking
24 him about the contents of the safety
25 management system and specifically

1 focused on the company's policy
2 regarding the use of autopilot. And
3 I just want to be sure that we
4 understand it.

5 Q. And my question is, whether
6 there is any company policy prohibiting the
7 use of the autopilot?

8 A. I would rely on the depositions
9 of Brian and Lenny to speak to the
10 specifics. But based upon reading this,
11 there does not appear to be any prohibition
12 in writing in this document.

13 Q. Are you aware of any
14 prohibition that is somehow not in writing?

15 A. I'm not aware.

16 Q. If you could turn to the
17 section titled 7.1, Bridge Transits. The
18 Bates Number is Carver 000910.

19 This section appears to provide
20 instructions regarding bridge transits by
21 vessels, correct?

22 A. That appears to be correct.

23 Q. And right in the middle of the
24 page, it says, kind of in a call out,
25 yellow or orange-ish color. "Under no

1 circumstances shall the wheelman
2 responsible for the transit make the bridge
3 due to pressure or pride." What does that
4 mean?

5 MR. RODGERS: Objection to
6 form. You can answer if you
7 understand the question.

8 A. I would rely on the depositions
9 of Brian and Lenny. As to the specifics of
10 what that means, I would be making an
11 educated guess.

12 Q. So you don't know?

13 A. Not specifically.

14 Q. And then right underneath it,
15 it has a heading called "Safety Briefing"?

16 A. Correct.

17 Q. Was there a safety briefing
18 before the transit of any of the bridges on
19 the Southern branch of the Elizabeth River?

20 MR. RODGERS: Objection to
21 form.

22 MR. CHAPMAN: Let me just
23 finish.

24 MR. RODGERS: Sorry.

25 Q. Prior to the allision on June

1 15th, 2024?

2 A. I would rely upon the documents
3 provided and the depositions of Brian Lenny
4 and all the crew members to answer that
5 question. I'm not directly aware
6 personally.

7 Q. What training does Carver
8 provide to its employees regarding bridge
9 transits.

10 A. I would rely upon the
11 depositions of Brian and Lenny as to those
12 answers and all of the documents provided
13 in discovery. I do not specifically know.

14 Q. Are you -- does Carver know of
15 any training that was specifically provided
16 to Captain Morrissey regarding bridge
17 transits?

18 A. I would answer the question the
19 same way I answered the prior one.

20 Q. Which is you don't know and
21 you'd rely on what other people had to say
22 about it?

23 A. Correct.

24 Q. If I'm correctly summarizing
25 your answer.

1 MR. RODGERS: Relying on
2 specific testimony and the documents
3 produced to date, not just anyone.

4 Q. What testing, if any, does
5 Carver provide regarding the captain's
6 knowledge and the capabilities regarding
7 bridge transits?

8 MR. RODGERS: Objection. The
9 captain's not been -- not testified
10 and he is deceased and Mr. Morrissey
11 is scheduled for next week. So the
12 witness cannot possibly know that.

13 MR. CHAPMAN: So once again,
14 there you go off doing your best to
15 coach the witness into an answer,
16 Mr. Rodgers.

17 MR. RODGERS: I'm not coaching.

18 MR. CHAPMAN: And I just ask
19 that if you have a form objection,
20 just make it and then we'll proceed
21 with the witnesses knowledge.

22 MR. RODGERS: You were asking
23 him about testimony that hasn't
24 happened and you know better than
25 anybody it hasn't happened. So it's

1 an improper question.

2 Q. Could you read the question
3 back?

4 (Whereupon, the above record
5 was read back by the court reporter.)

6 **THE WITNESS: Can I answer?**

7 MR. RODGERS: If you can
8 answer.

9 A. I would reiterate the same
10 statement as before. We would have to rely
11 on the testimony of Brian, Lenny, the
12 captain which we can't have, the future
13 testimony of the mate and the documents
14 provided through discovery. I do not
15 personally have any firsthand knowledge of
16 any training.

17 Q. Does Carver have records of the
18 training of its personnel at Carver Marine
19 Towing?

20 A. There -- can you repeat the
21 question?

22 Q. Does Carver maintain records of
23 the training that is provided to the people
24 that work for Carver Marine Towing?

25 A. I believe we do.

1 Q. And what's that belief based
2 on?

3 A. Any sanction training that we
4 provide or that someone is -- comes with is
5 stored within their personnel files.

6 Q. Have you reviewed any such
7 training records for Captain James
8 Morrissey?

9 A. I specifically have not.

10 Q. Do you know if they exist?

11 A. Anything that exists has been
12 provided through the discovery that we have
13 conducted. That I'm aware of.

14 Q. So you don't know whether it
15 exists or not but if it does, you believe
16 it's been provided in discovery?

17 A. Correct.

18 Q. To Carver's knowledge, was a
19 lookout posted for the bridge transit of
20 the Norfolk and Portsmouth Belt Line Bridge
21 on June 15th, 2024?

22 A. Not that I'm aware of.

23 MR. RODGERS: You okay?

24 THE WITNESS: Is now a good
25 time for a break or?

1 MR. RODGERS: It's up to you.

2 You're the witness.

3 Q. Do you need to take a break?

4 A. If we can, I'd just like to use
5 the restroom real quick.

6 Q. Yeah. Sure.

7 A. Are we done with this document?

8 Q. I think so, yeah.

9 A. Okay.

10 THE VIDEOGRAPHER: We are going
11 off the record. The time is 12:18 p.m.

12 Off the record.

13 (Whereupon, a short recess was
14 held.)

15 THE VIDEOGRAPHER: Beginning
16 Media Number 4. We are back on the record.
17 The time is 12:32 p.m.

18 Q. Mr. Laraway, what training was
19 provided to the captains of the tugs
20 regarding the use of the autopilot on any
21 of the tugs that were equipped with it?

22 A. I would rely on the testimony
23 of Brian and Lenny, any documents in
24 evidence and the future testimony of
25 Morrissey. I'm not specifically aware

1 **myself.**

2 Q. And you haven't done anything
3 to become aware?

4 **A. I didn't hear you.**

5 Q. And you haven't done anything
6 to become aware?

7 MR. RODGERS: Objection. He
8 didn't say that.

9 MR. CHAPMAN: Well, he said he
10 was not specifically aware himself.
11 That's what I'm trying to understand.

12 Q. You haven't done anything to
13 specifically become aware?

14 MR. RODGERS: Objection. You
15 can answer if you want. If you
16 understand it.

17 **A. I understand the question.**
18 **I -- during my preposition, I did not**
19 **become aware of specific training related**
20 **to use of the autopilot.**

21 Q. So you would rely on, I think
22 you said Mr. Baldassare or Mr. Moore or
23 documents?

24 **A. Or documents or Morrissey,**
25 **testimony forthcoming.**

1 MR. CHAPMAN: What exhibit are
2 we up to?

3 THE REPORTER: I think 10.

4 MR. CHAPMAN: Okay.

5 Will you mark that as 10,
6 please.

7 (Whereupon, Exhibit 10 was
8 marked for identification.)

9 Q. Mr. Laraway, you've been handed
10 what's been marked as Exhibit 10, which is
11 Section 6.4 from the safety management
12 system.

13 Do you see that?

14 A. Yes.

15 Q. I just want to kind of start on
16 Page 1 there. Basically, the use of
17 alcohol in connection with any sort of
18 vessel operations is prohibited by the
19 company, correct?

20 A. Correct.

21 Q. Okay. If you turn to the third
22 page of this exhibit, for those of you who
23 are on the call, it's marked as Carver TBS
24 Helm CONNECT 00. Starts at 843 and the
25 page I'm on now is 845.

1 Near the bottom it talks about
2 testing. You see that?

3 A. I do.

4 Q. And it says, "All employees and
5 applicants are required to participate in
6 prohibitive substance screenings for the
7 following reasons." And the first one is
8 preemployment, A, B on the next page is
9 random sampling and then C is
10 post-incident?

11 Do you see that?

12 A. I do.

13 Q. "So any employee directly
14 involved in an accident, injury or incident
15 involving human error or any required
16 reporting by the U.S. Coast Guard will be
17 subjected to sampling to rule out the
18 involvement of prohibited substances,"
19 right? Is that what it says?

20 A. It is.

21 Q. There wasn't any post-incident
22 alcohol testing of any of the members of
23 the crew following the allision of the
24 Mackenzie Rose with the Belt Line Bridge on
25 June 15th, 2024, correct?

1 MR. RODGERS: Just alcohol?

2 Q. Well, I'm asking about alcohol
3 right now, but yeah, this refers to
4 prohibited substances.

5 MR. RODGERS: Objection to
6 form. You can answer it.

7 Q. My first question was about
8 alcohol. There wasn't any alcohol testing,
9 was there?

10 A. Not that I'm aware.

11 Q. Okay. In section D, it says,
12 "Alcohol test kits are on board the vessel
13 to meet the two-hour alcohol testing
14 deadline." Are there in fact alcohol test
15 kits on the vessel?

16 A. I would have to rely upon the
17 testimony of Brian and Lenny and the
18 documents provided in evidence. I'm not
19 certain.

20 Q. Okay. And then there's a
21 further drug testing deadline for
22 prohibited substances that has to be done
23 within 32 hours.

24 You see that?

25 A. I see that.

1 Q. And there wasn't any such drug
2 testing of any members of the crew of the
3 Mackenzie Rose within that period of time
4 following the allision with the Belt Line
5 Bridge, correct?

6 A. Not that I'm aware of.

7 MR. RODGERS: You said drug
8 testing?

9 MR. CHAPMAN: I said drug
10 testing, yes.

11 Q. In the aftermath of the
12 allision with the Belt Line Bridge on June
13 15th, 2024, did Carver change anything
14 related to its drug testing protocols or
15 policies?

16 MR. RODGERS: Objection.
17 Foundation. You can answer if you
18 know.

19 A. I'm unaware.

20 Q. Who is Thomas Feeney?

21 A. Tom Feeney is an operations
22 manager for Carver Marine Towing.

23 Q. Is he still employed by Carver?

24 A. He is.

25 Q. Since the allision with the

1 Belt Line Bridge in June of 2024, has
2 Carver hired a vendor to manage its drug
3 and alcohol testing?

4 A. The company may have. I'm not
5 aware of any. That doesn't mean it didn't
6 happen. We've had relationships with
7 multiple drug testing vendors in the past.
8 I'm not sure if we're using the same one or
9 if it's switched.

10 MR. CHAPMAN: Can you mark that
11 as Exhibit 11, please?

12 (Whereupon, Exhibit 11 was
13 marked for identification.)

14 Q. You've been passed a document
15 marked Exhibit 11 which appears to be an
16 e-mail from Thomas Feeney on July 29th,
17 2024 to Brian Moore, Leonard Baldassare and
18 Jason Galioto. Do you see that?

19 A. I do.

20 Q. For those of you who are
21 attending remotely, the production number
22 is Carver ESI000201. And it appears to be
23 an e-mail that has been forwarded by
24 Mr. Feeney to others in the Carver Marine
25 Towing end of the business about some sort

1 of drug testing consortium. Do you see
2 that?

3 **A. I do see that.**

4 Q. And the company that they were
5 talking to was American Maritime Safety,
6 Inc.?

7 **A. That's what it appears to be.**

8 Q. Okay. Attached to this e-mail,
9 apparently somebody forwarded it to
10 Mr. Feeney is a membership services
11 agreement? Starting at --

12 MR. RODGERS: Just on the
13 record, just an objection to the line
14 of questioning or remedial, but the
15 witness can answer to his knowledge.

16 And if just -- I'm going to
17 have that as standing objection.

18 Q. Sure. It be -- the page number
19 is 212.

20 **A. Okay.**

21 Q. Has Carver entered into this
22 agreement or an agreement like this with
23 AMS, America Maritime Safety?

24 **A. I am not aware if we have, or**
25 **have not.**

1 Q. Is there any other vendor of
2 these type of services that Carver has
3 entered into an agreement with?

4 A. What type of services?

5 Q. These drug testing services.

6 A. We have a standard vendor that
7 Carver Companies utilizes for
8 pre-employment, random and post-incident
9 drug and alcohol testing at a number of our
10 locations.

11 Q. Those -- are those shoreside
12 facilities? When you say a number of those
13 locations, I'm just trying to understand
14 your answer.

15 A. My understanding is that that
16 vendor provides the service for our
17 shoreside locations and when requested for
18 our tug and fleet as well.

19 Q. And who is that vendor?

20 A. The companies name is Foro,
21 F-O-R-O. I don't know much beyond that.

22 Q. Okay. You didn't sign the
23 contract?

24 A. Not that I'm aware of. Not
25 that I can recall.

1 Q. Okay.

2 MR. CHAPMAN: Can you mark this
3 as 12, please?

4 (Whereupon, Exhibit 12 was
5 marked for identification.)

6 Q. You've been passed Exhibit 11,
7 which appears to be a letter and
8 some -- oh, I'm sorry. I apologize.

9 You've been passed Exhibit 12.
10 Thank you, Madam Court Reporter.

11 Mr. Laraway, you've been passed
12 Exhibit 12, a letter from Carver to
13 Mr. Morrissey, James Morrissey, with a
14 couple of details, pages detailing, I guess
15 some kind of internal processing related to
16 his termination.

17 Do you see that?

18 A. I do.

19 Q. Okay. Was Captain Morrissey
20 disciplined in any way after the allision
21 with the Belt Line Bridge?

22 A. He was sus -- my understanding
23 is he was suspended pending the outcome of
24 multiple investigations.

25 Q. So how soon was he suspended

1 after the allision?

2 A. For specifics, we would need to
3 rely on the documents and evidence on the
4 testimony of Brian and Lenny. I would only
5 be able to speak to what I recall.

6 Q. Yeah. So there's a collection
7 of documents from what I presume to be his
8 personal -- personnel jacket, personnel
9 file --

10 A. Yes, sir.

11 Q. -- that was produced. I
12 couldn't find anything in there about him
13 being suspended. I only find this
14 reference to a termination. Is there a
15 status that would normally be entered in
16 the system that says the employee was
17 suspended?

18 A. I don't operate within the HRIS
19 system. I can't speak to -- if that is a
20 possible status or not.

21 Q. When you say HRIS, what is that
22 an acronym for?

23 A. HR Information System.

24 Q. Human Resources Information
25 System?

1 **A. Yes.**

2 Q. So if you look on the second
3 page of Exhibit 12, which looks like it's
4 some sort of print out from that system; is
5 that right?

6 **A. That is correct.**

7 Q. Okay. So who is Sybil
8 Linstead?

9 **A. Sybil is one of our HR**
10 **generalists.**

11 Q. Still employed by the company?

12 **A. Yes.**

13 Q. And then a little further down,
14 under administrator termination, it says,
15 "Administered -- initiated for James
16 Morrissey, initiated by Thomas Marin."
17 Is -- am I pronouncing that correctly?

18 **A. You are.**

19 Q. And who is Mr. Marin?

20 **A. He is our chief HR officer,**
21 **CHRO.**

22 Q. Does he still work for the
23 company?

24 **A. He does not.**

25 Q. And do you recall about when he

1 left?

2 A. About three or four months ago,
3 it was recent.

4 Q. Did he take another position
5 somewhere else?

6 A. He did.

7 Q. And do you know where he went?

8 A. Where Tom went.

9 Q. Yeah.

10 A. He is working for some service
11 provider of SUNY in the Albany area. I
12 don't know the specific company but.

13 Q. A service provider of SUNY, you
14 mean as an acronym for?

15 A. State University of New York.
16 They provide services for -- as a
17 subcontractor or vendor of SUNY.

18 Q. So on the second -- on the next
19 page of Exhibit 12.

20 A. Mm-hmm.

21 Q. It says -- it's a continuation,
22 I presume, of the printout from that
23 system. It says, "Eligible for rehire."
24 Do you see that line?

25 A. I do.

1 Q. No. Why is he not eligible for
2 rehire?

3 A. That would be a question to be
4 answered by Brian or Tom.

5 Q. Did you personally, I'm asking
6 you in your personal capacity, have any
7 involvement in his termination?

8 A. Other than awareness that it
9 was happening, I was not involved in the
10 process, no.

11 Q. So what was the reason for his
12 termination?

13 A. While under paid suspension
14 during the investigation, Brian or some
15 member of his team became aware that
16 Mr. Morrissey began employment for another
17 company. And he didn't feel it appropriate
18 to continue to pay him as a suspended
19 mariner while he was working for someone
20 else.

21 Q. So he was still on the payroll,
22 so to speak and getting paid even though he
23 wasn't working?

24 A. Correct. Paid suspension, is
25 my understanding.

1 Q. And who did he go to work for
2 while he was still on your payroll?

3 A. I don't know.

4 Q. So the last entry on this page
5 says, "Notes." There's nothing in the
6 before column but then in the submitted
7 column it says, "Ongoing Coast Guard
8 investigations. See documents."

9 A. That is what it says.

10 Q. What documents are those?

11 A. I don't have personal knowledge
12 as to what they are. I would rely on the
13 testimony of Brian and the documents
14 submitted.

15 Q. Did you review the records
16 produced to us regarding Mr. Morrissey?

17 A. I generally reviewed hundreds
18 of documents. I don't know specifically if
19 I reviewed those specific documents.

20 Q. Yeah. I'm just trying to
21 understand if there --

22 A. Yeah.

23 Q. Are there any? It says, "See
24 documents." Are there any other documents
25 that relate to Mr. Morrissey in these kind

1 of personnel file that I haven't seen,
2 right?

3 A. Yes.

4 Q. I realize you can't read my
5 mind.

6 A. Yes.

7 Q. But I'm just -- I didn't see
8 any and just trying to figure out what the
9 reference is to "see documents."

10 A. I can't attest -- I didn't
11 write this nor was I involved in the
12 execution of this. So I can't.
13 Specifically somebody's buzzing.

14 Q. So would Sybil Linstead have
15 made all of these entries?

16 A. Based upon my understanding of
17 what is written here, it could have been
18 Sybil or it could have been Tom.

19 I don't know if this was a
20 printout that Sybil did and Tom filled the
21 whole thing out or if Tom did the whole
22 thing. I'm not familiar enough with the
23 system to say which one of two of them.

24 Q. So we can go back to Page 1.
25 It says, the very first sentence, "In

1 accordance with New York, NY Labor Law," I
2 assume that means New York Labor Law,
3 "195(6), this letter is to provide written
4 notice that your employment with Carver
5 Companies terminated on 9/27/2024, right."
6 And then it further says, "Your last day
7 work was on about 9/27/2024."

8 If I understood your earlier
9 testimony, he didn't actually work that
10 day, he was just in a suspended status.

11 **A. That is my understanding.**

12 Q. He may have been working for
13 somebody else at the time?

14 **A. He may have.**

15 Q. Okay. So was he an employee of
16 Carver Companies as it says in that first
17 line?

18 **A. He was an employee of Carver
19 Companies Payroll, that is correct, LLC.**

20 Q. So at the end -- well, let me
21 just kind of unpack that. Carver -- I'm
22 sorry. You said it's Carver Companies
23 Payroll, LLC?

24 **A. That is correct.**

25 Q. What is that?

1 **A.** It is an entity of ours that
2 processes payroll for all our hourly and
3 day rate employees that work for various
4 Carver entities.

5 Q. Not just Carver Marine Towing?

6 **A.** No.

7 Q. But doesn't handle salaried
8 personnel?

9 **A.** Correct.

10 Q. Okay. It's signed or at least
11 has a signature block for Sybil Laraway.
12 Who is that?

13 **A.** That is Sybil's maiden name.

14 Q. Oh, this is Sybil Linstead?

15 **A.** Yes.

16 Q. They are one and the same?

17 **A.** Yes.

18 Q. Okay. Are you related to her?

19 **A.** She is my cousin.

20 Q. There's a -- this has been
21 photocopied and provided to us in
22 discovery. And it appears to have a pink
23 sticky note on it.

24 Do you see that?

25 **A.** It does.

1 Q. Do you know whether there is
2 anything under that sticky note that we
3 can't see because it's covering it?

4 A. I don't specifically know that
5 there is nothing under there, but I do not
6 believe there is.

7 Q. Okay. And what makes you think
8 that?

9 A. Based upon where her signature
10 block is, I wouldn't believe. And knowing
11 how our signature blocks are set up, I
12 wouldn't believe there is anything to the
13 right of her e-mail signature block or
14 letter's signature block, whatever it is.

15 Q. Okay. Was any action taken
16 against Captain Christopher Miller,
17 disciplinary or employment-wise, as a
18 result of the allision with the Belt Line
19 Bridge?

20 A. Not that I'm aware of.

21 Q. So he stayed on the payroll,
22 right? And continued to work for Carver?

23 A. That's my understanding.

24 Q. Okay. At least until he passed
25 away this year?

1 A. Until he went out sick before
2 he passed away.

3 Q. Okay. So besides being
4 suspended and I guess not performing duties
5 at some point following the allision with
6 the Belt Line Bridge, was there any other
7 employment or disciplinary action taken
8 against Mr. Morrissey up until the time he
9 was terminated?

10 A. My understanding is the
11 investigation internally and with the Coast
12 Guard remained ongoing, and that we were
13 waiting until there was a conclusion to
14 that before we took any further action.

15 Q. So is it fair to say that if
16 hadn't been terminated because it turned
17 out for a period that he was working for
18 somebody else, he would still be in a
19 suspended status?

20 MR. RODGERS: Objection to
21 form. It calls for speculation.

22 Q. Let me just finish -- pending
23 your receipt or whatever the Coast Guard's
24 investigation was?

25 A. It was -- it certainly is

1 possible that that could be the case.

2 Q. Who is Jason Galioto?

3 A. He is an employee of Carver
4 Marine Towing.

5 Q. And what's his position?

6 A. He works in compliance and
7 safety predominantly.

8 Q. Do you know when he was first
9 hired?

10 A. He's been employed here since
11 prior to the incident but I don't recall
12 specifically when he was hired.

13 Q. Okay.

14 MR. CHAPMAN: So this is a
15 convenient time to take a break and grab
16 some lunch.

17 MR. RODGERS: Yeah.

18 MR. CHAPMAN: All right.

19 MR. RODGERS: What time do you
20 want?

21 MR. CHAPMAN: You want to come
22 back at 2:00?

23 THE VIDEOGRAPHER: We are going
24 off the record. The time is 12:58 p.m.

25 Off the record.

1 (Whereupon, a short recess was
2 held at this time.)

3 THE VIDEOGRAPHER: Beginning
4 Media Number 5. We are back on the record.
5 The time is 2:06 p.m.

6 Q. Would you mark that as the next
7 exhibit?

8 THE REPORTER: I believe 13.

9 MR. CHAPMAN: 13, yeah.

10 (Whereupon, Exhibit 13 was
11 marked for identification.)

12 Q. Mr. Laraway, this is another
13 section out of the Carver Safety
14 Management, number 8.8F, titled
15 "Collision/allision."

16 Do you see that?

17 **A. I do.**

18 Q. And the reference is Carver TBS
19 Helm CONNECT 00996 and 997. It looks like
20 Page 1 covers collisions; is that correct?

21 **A. That appears to be correct.**

22 Q. And then Page 2 covers
23 allisions. That is hidden fixed objects.
24 The first of which is, what to do if you
25 hit an aid to navigation, and the second,

1 what to do if you hit a structure, correct?

2 A. That is correct.

3 Q. And so kind of like the
4 incident reporting, number one for hitting
5 a structure is to notify the company,
6 correct?

7 A. Correct.

8 Q. Number two is to notify the
9 appropriate person in charge. It's got a
10 parenthetical, (The lock master, the bridge
11 tender, the doc master, et cetera.) Do you
12 see that?

13 A. I do.

14 Q. You've already confirmed that
15 the company did not notify the bridge when
16 it happened, right?

17 A. That is correct.

18 Q. And then it says to notify the
19 U.S. Coast Guard if appropriate. And we've
20 already seen that your 9.5 of the SMS says
21 if you hit -- unintended contact with a
22 bridge requires notifications to the Coast
23 Guard and that didn't happen, correct?

24 A. Correct.

25 Q. It says, "Document the damage

1 including photographs." There's one
2 photograph that has been produced in
3 discovery and I'm still sort of chasing the
4 original native version of it. But I want
5 to show you that one photograph, which was
6 marked as Exhibit 1 at Mr. Moore's
7 deposition.

8 Have you seen that photograph
9 before?

10 **A. I have.**

11 Q. Okay. And did you see it
12 in -- I'll ask it in the first month after
13 the incident, after the allision?

14 **A. From what I can recall, yes.**

15 Q. Yeah. And did somebody forward
16 that to you?

17 **A. I don't recall how I came upon**
18 **it.**

19 Q. Okay. So it could have been
20 like an attachment to an e-mail?

21 **A. It could have.**

22 Q. It could have been somebody
23 texted it to you?

24 **A. It could have.**

25 Q. Yeah. Somebody might have

1 printed it out -- I'm sorry, this sounds
2 silly, but I'm just trying to understand
3 what the range of options are.
4 Somebody printed it and you saw it like in
5 the paper version that is right there?

6 **A. Certainly.**

7 Q. If you look at Exhibit 1 there,
8 it's a little grainy, it's not like super
9 clear.

10 Have you ever seen one that is
11 not grainy like that?

12 **A. I don't recall if the one that**
13 **I saw was less grainy or of the same**
14 **quality.**

15 Q. The one you saw, you know, in
16 the month or so after the allision, did it
17 lead you to believe that there had been
18 some damage to the bridge itself?

19 **A. Knowing what I saw in the**
20 **letter you sent me and the nature of the**
21 **bridge and the photo, it lead me to believe**
22 **that that was correct.**

23 Q. Okay. Do you know whether any
24 other photographs of the bridge were taken
25 by the tug?

1 A. I would rely upon the testimony
2 of Brian and Lenny and documents produced,
3 and I'm personally I'm unaware of any
4 additional.

5 Q. All right. I'll take number
6 one back. Thank you.

7 A. You're welcome.

8 Q. Can you mark that as 14,
9 please?

10 (Whereupon, Exhibit 14 was
11 marked for identification.)

12 Q. You've been handed what's been
13 marked as Exhibit 14, which is an e-mail
14 produced in discovery. It begins with
15 Carver ESI000313 and ends with 319. And it
16 appears to be an e-mail sent by Jason
17 Galioto to Brian Moore on July 3rd, 2024.
18 Do you see that?

19 A. That appears to be correct.

20 Q. And he appears to be forwarding
21 e-mail received from the Tug Mackenzie
22 Rose, sent July 2nd, 2024.

23 Do you see that?

24 A. Yes.

25 Q. So who is able to use the

1 tugmackenzierose@carvercompanies.com e-mail
2 address to send things or to send e-mails?

3 A. I would rely on the testimony
4 of Brian and Lenny. However, my
5 understanding is the captain and mate on
6 watch during any hitch have access to that
7 e-mail.

8 Q. Okay. So does Carver know who
9 actually sent these photographs from that
10 Tug Mackenzie Rose e-mail address?

11 A. I would --

12 MR. RODGERS: He is talking
13 about, yeah, from the tug.

14 Q. Yeah, from the tug. It
15 says -- somebody's written, "Here are the
16 photos I took of the bridge and bow of the
17 barge June 15th after the allision with the
18 bridge." But...

19 A. I mean, I can make an
20 assumption but it's not signed and this is
21 the first time I'm seeing this.

22 MR. RODGERS: Don't guess.

23 Q. Oh, you haven't seen this
24 before? Okay.

25 MR. RODGERS: Don't guess.

1 **A. Yeah.**

2 Q. All right. Okay. And there
3 appear to be five digital images embedded
4 in the e-mail which says -- it's at
5 the -- on Page 2. It says, "It's sent from
6 my iPhone." Is the Tug's phone an iPhone?

7 **A. All company issued phones are**
8 **iPhones.**

9 Q. Okay.

10 **A. So that is a probability.**

11 Q. Okay. And then the next five
12 pages are slightly larger images of the
13 ones that are embedded in the e-mail.
14 First of the bridge and then four of the
15 barge, correct?

16 **A. That appears to be correct,**
17 **yes.**

18 Q. All right. So if we go back to
19 the first page and you see where it says
20 attachments.

21 **A. I do.**

22 Q. And it starts with IMG1731.JPG
23 and the iPhone protocol is, you know,
24 obviously given number to each photograph
25 as it's taken.

1 Do you know what photographs or
2 what's depicted in the photographs that
3 would have been numbered IMG1732 through
4 1737 are?

5 **A. I do not.**

6 Q. And do you know if they were
7 ever requested internally since there
8 appears to be a gap of a few photographs?

9 **A. I would rely on the testimony**
10 **of Brian, Lenny and the documents in**
11 **evidence, but I'm not personally familiar**
12 **with that request, if any.**

13 Q. Does the Tug Mackenzie Rose
14 have any other e-mail address that is
15 like -- is there is a
16 mackenzierose2@carvercompanies, or some
17 other kind of e-mail handle that is
18 considered a -- I'll call it a, you know,
19 tug or official e-mail address?

20 **A. I would rely on the testimony**
21 **of Brian and Lenny, but I'm not aware of**
22 **any other e-mail address personally.**

23 Q. In the aftermath of the
24 incident, you know, say in June or July of
25 2024, did you read any of the statements

1 that were submitted by the crew of the tug?

2 A. I did not personally at that
3 time, no.

4 Q. Did anybody inform you of their
5 contents?

6 A. Brian updated me generally as
7 to what was going on. I would assume part
8 of that included updates related to the
9 statements.

10 Q. Did you understand that crew
11 statements had been taken or obtained in
12 some way?

13 A. Yes.

14 Q. Would you mark this as 15,
15 please?

16 (Whereupon, Exhibit 15 was
17 marked for identification.)

18 Q. You've been handed what's been
19 marked as Exhibit 15, which is an e-mail
20 sent June 16th, 2024 to Leonard Baldassare
21 and Brian Moore. And in the -- it says
22 it's sent from admin services but the
23 e-mail address appears to be
24 chris.miller63@hotmail.com.

25 You see that?

1 **A. I do.**

2 Q. Okay. So Chris Miller is one
3 of the captains at Mackenzie Rose, right?

4 **A. Was.**

5 Q. Yes, correct. Was. So is
6 chrismiller63@hotmail.com considered like
7 an official or Carver Companies' e-mail
8 that he is sending this from?

9 **A. It is not.**

10 Q. All right. There is no
11 prohibition against him doing that though?
12 He did it?

13 **A. He did.**

14 Q. All right. Okay. And did
15 either Brian Moore or Leonard Baldassare
16 share the content of these crew statements
17 with you in and about the time they
18 received them?

19 **A. No. Not that I recall.**

20 Q. Okay. I think you told us you
21 didn't find out that there had been an
22 incident until you received my letter on
23 the 20th, correct?

24 **A. That is correct.**

25 Q. Okay. So if you could just

1 take a look at each of these statements
2 with me?

3 A. Mm-hmm.

4 Q. The first one is the chief
5 engineer, Mr. McGrath who says, "Was in my
6 room, felt abrupt stop," right?
7 And then the next one is from one of the
8 deckhands, Sharif Porter, "I was in bed
9 sleeping, I felt the boat sliding. I
10 thought we popped the push gear."

11 And then the next one, the
12 other deckhand, Jarkeis Morrissey, in
13 the third sentence says, "I was in
14 the galley cleaning up and put away
15 the food when we hit something."
16 Right.

17 And then the last one
18 Christopher Miller, the captain who
19 says, "I, Christopher Miller, was in
20 my bed resting when I felt a bump."

21 If this information had been
22 shared with you when it came in, what
23 would it have lead you to do, if
24 anything? Maybe nothing, but if
25 anything.

1 MR. RODGERS: Objection. Calls
2 for speculation.

3 You can answer if you
4 understand the question.

5 A. Understanding the question and
6 knowing what -- if this information was
7 provided to me along with the information
8 that I am aware was shared with Lenny at
9 the time that there was an issue with the
10 fendering or a tap as it said in this
11 e-mail, I would make sure that Brian and
12 Lenny conducted a full investigation to
13 confirm the facts.

14 Q. And it wasn't until after
15 getting the letter from me that that
16 started?

17 MR. RODGERS: Objection. That
18 he did that or?

19 MR. CHAPMAN: Yeah. I'm just
20 asking.

21 MR. RODGERS: Or that or Lenny
22 and Brian Moore doing an
23 investigation. Those two different
24 things?

25 MR. CHAPMAN: Yeah.

1 A. You're asking me when I did
2 what I just described or when I became
3 aware of it. What is the question?

4 Q. The investigation.

5 A. Mm-hmm.

6 Q. Was there an investigation
7 initiated before your receiving of my
8 letter on June 20th?

9 MR. RODGERS: Objection of form
10 on the term investigation.

11 If you understand the question,
12 you can answer.

13 A. I would rely specifically on
14 the testimony of Brian and Lenny and all
15 the documents provided through discovery.
16 But my understanding is that they were
17 reviewing what had happened.

18 Q. Yeah. Can you give us any more
19 detail on what you mean by reviewing what
20 happened?

21 A. I cannot because I wasn't aware
22 of it at the time.

23 Q. Just to be sure, you haven't
24 actually read their testimony, you've only
25 read --

1 MR. RODGERS: Objection.

2 Objection. You're getting into
3 preparation.

4 And by the way, just for the
5 record, these statements, whatever
6 they mean, are dated June 15th, and
7 have a certain time on it. So
8 obviously there was some -- there
9 were -- that the employees were being
10 asked by somebody to write down a
11 statement. So when you say there was
12 no investigation, I take issue with
13 that.

14 MR. CHAPMAN: Are you done with
15 your speaking objection?

16 MR. RODGERS: Well, I'm, you
17 know, just straightening up the
18 record.

19 **A. Can you repeat the question?**

20 Q. I can't even remember the
21 question.

22 **A. Me either.**

23 MR. RODGERS: Me either.

24 MR. NANAVALI: The question
25 was, did you actually read the

1 transcript or just read a summary?

2 MR. RODGERS: Objection. Don't
3 answer that.

4 MR. CHAPMAN: So you're
5 instructing the client --

6 MR. NANAVALI: You're saying
7 that he can't answer what he did to
8 prepare for a deposition --

9 MR. RODGERS: Who's this?
10 Who's speaking?

11 MR. NANAVALI: Mark Nanavati.

12 MR. RODGERS: Okay. Well, you
13 can't do the tag team thing. If you
14 want to ask questions on Evanston's
15 account, then you can do that when
16 Mr. Chapman is completed.

17 MR. NANAVALI: I'm not asking
18 questions. I'm challenging your
19 objections which are without merit.

20 MR. RODGERS: Okay. Well, good
21 for you but that's not going to
22 happen because we are not doing tag
23 team.

24 My objection is
25 you -- is -- and I'll repeat it,

1 you're asking for attorney-client
2 privilege information. He's already
3 answered that he read summaries. Not
4 you, Mark. I'm talking to Jim.

5 Q. And all I'm trying to do is be
6 clear. The only thing you read was
7 summaries. You didn't actually read the
8 testimony of either Baldassare or Moore,
9 correct?

10 MR. RODGERS: Objection. He's
11 told you what he did. He is not
12 going to tell you what he didn't do
13 and we are not going there. So I'm
14 going to tell him not answer -- and
15 excuse me, I'm going to direct the
16 witness not to answer based on
17 attorney-client privilege and
18 preparation for this deposition.

19 Q. Do you know what an incident
20 report is in the Helm CONNECT system?

21 A. **I understand the gist of what**
22 **it is.**

23 Q. Okay. Tell us what you
24 understand it to be?

25 A. **An incident report is a**

1 document filled out by crew when an
2 incident or near miss or other event
3 happens in the Helm CONNECT system which is
4 our SMS.

5 Q. And are there any notifications
6 to management when an incident report is
7 filled out in the Helm CONNECT system?

8 MR. RODGERS: I'm sorry, could
9 you repeat that? I missed it.

10 Q. I said -- I asked, are there
11 any notifications to management when an
12 incident report is filled out in the Helm
13 CONNECT system?

14 A. Management meaning CMT
15 management or company management?

16 Q. I don't know if there -- I
17 don't understand on how you distinguish
18 them. I'm basically asking would like
19 Mr. Moore or Mr. Baldassare or somebody
20 else in the management of the towing
21 business get a notification?

22 A. I would rely on the testimony
23 of Mr. Moore and Lenny as to whether or not
24 they receive notifications regarding
25 incident reports from Helm. I do not

1 receive incident reports from Helm.

2 Q. Yeah, no, I get that. But I'm
3 just asking what your understanding is.
4 Are they supposed to get a report, not
5 whether they actually did?

6 A. I'm not certain how the
7 interworkings of Helm work as it relates to
8 incident reporting notification.

9 Q. Can we mark that as 16 now?
10 (Whereupon, Exhibit 16 was
11 marked for identification.)

12 Q. You've been passed Exhibit 16,
13 which appears to be an e-mail on June 28th
14 from the Tug Mackenzie Rose to Brian Moore
15 with a subject line, "I've finished the
16 incident report 6,15/24."

17 Do you see that?

18 A. I do.

19 Q. I'll represent to you that
20 there is nothing attached to this e-mail in
21 the way it was produced to us which is
22 Carver ESI000541.

23 Have you ever seen an incident
24 report for the bridge allision?

25 MR. RODGERS: Just could you be

1 more specific because there's Coast
2 Guard reports? There's internal
3 reports.

4 Q. I'm asking about -- that's a
5 good question. I'm asking about the
6 incident report in the Helm CONNECT system
7 for this bridge allision.

8 A. I don't specifically recall if
9 that was something that I reviewed as part
10 of my preparation for this deposition, and
11 I don't recall having seen anything in the
12 months after the event.

13 Q. Do you know if there is an
14 incident report in the Helm CONNECT system
15 for the bridge allision?

16 A. I would rely on Brian and
17 Lenny's testimony and what we've submitted
18 through our discovery process. I'm not
19 specifically aware if there is one
20 personally.

21 Q. Can you mark that as 17,
22 please?

23 (Whereupon, Exhibit 17 was
24 marked for identification.)

25 Q. Mr. Laraway, you've been handed

1 a document marked as Exhibit 17, which
2 appears to be an e-mail from the Tug
3 Mackenzie Rose, on June 24th, 2024, to
4 Brian Moore and Leonard Baldassare. The
5 subject of which is "Helm log, June 15, RR
6 incident."

7 Do you see that?

8 **A. I do.**

9 Q. This one actually references an
10 attachment and based on the way that it was
11 produced by Carver, I believe that the
12 following four pages are the attachment.
13 But it's marked Carver ESI000527 through
14 531.

15 And since it came from the Tug
16 Mackenzie Rose e-mail, there's -- is there
17 any way to determine who actually sent it?

18 **A. I'm not aware of how we could**
19 **determine the specific individual, no.**

20 Q. Okay. If you look at the
21 attachment on the first page, 528. On the
22 second line it says "Entry type incident."
23 And you can't read it all but it looks like
24 something was logged at 1630 hours on June
25 15th, 2024, by Christopher (Chris) at

1 Norfolk, Virginia with a description. You
2 see that?

3 **A. I see it.**

4 Q. All right. And the description
5 says, "Mate James Morrissey reports the
6 autopilot was not completely turned off as
7 he was able to correct and switch back over
8 to hand steering and began backing on the
9 Weeks 281 barge and maneuvered the barge
10 alongside fendering on the north and PBL RR
11 bridge. Photo taken, proceeds slowly away
12 from bridge."

13 In the aftermath of the
14 collision, saying that month or so following
15 June 15th, did you learn that the autopilot
16 had been used while they were making this
17 wedge in the vicinity of the bridge?

18 MR. RODGERS: Objection.

19 **A. I do not recall when I became**
20 **aware of the use of autopilot as it related**
21 **to this incident.**

22 Q. Okay. Do you have an
23 understanding what he -- it is meant by the
24 autopilot was not completely turned off?

25 **A. I would rely on the testimony**

1 of Brian and Lenny and Mate Morrissey
2 eventually and the documents we've
3 provided, I don't.

4 Q. To your knowledge, is there
5 some way that an autopilot can be somehow
6 not completely turned off?

7 MR. RODGERS: Objection. He's
8 already testified he is not a
9 mariner, and he's also not here as an
10 expert.

11 You can answer if you have an
12 answer.

13 A. I'd rely on the testimony of
14 Brian, Lenny, and the mate, and the
15 documents in evidence. I have no knowledge
16 of how an autopilot system works.

17 Q. Do you know whether this
18 document that we are looking at right now,
19 this PDF printout that's attached to the
20 e-mail marked Exhibit 17, is in fact
21 incident report in the Helm CONNECT system
22 for the bridge allision?

23 A. I do not know if it is in the
24 Helm CONNECT system. I would rely on the
25 testimony of Brian, Lenny, and the

1 documents we've produced.

2 Q. What is Carver's understanding
3 of the reason the tug and barge allided
4 with the bridge?

5 MR. RODGERS: Just what is
6 Carver's understanding?

7 MR. CHAPMAN: Yeah.

8 MR. RODGERS: At that time or
9 now.

10 Q. You can give me both?

11 MR. RODGERS: No. He can
12 testify as to what his understanding was at
13 the time he learned of it and what his
14 understanding is now, if you understand
15 that.

16 Why don't you ask him
17 separately, Jim, so we keep it simple?

18 MR. CHAPMAN: So I don't think
19 I have to but I'll humor you, Mr. Rodgers.

20 MR. RODGERS: Well, just to add
21 another objection. It was asked and
22 answered about two hours ago, but
23 again, just split up the question.
24 It would be easier for the witness to
25 understand.

1 Q. So question one, what is
2 Carver's understanding of the reason that
3 tug and barge allided with the bridge?

4 A. My understanding?

5 Q. No, Carver's.

6 MR. RODGERS: Objection to the
7 form. If you don't understand the
8 question, then you don't -- then
9 don't answer it.

10 A. Can you rephrase the question?

11 Q. I don't think so. What is it
12 that you don't understand about the
13 question?

14 MR. RODGERS: Objection.

15 Don't answer that.

16 Jim, what are you doing here?

17 MR. CHAPMAN: I'm trying to
18 clarify for him. You're the one that's
19 made the objection.

20 MR. RODGERS: No. No. No. He
21 and I have both asked you to split it up.
22 You're asking Carver. You are not saying
23 then or now. So I -- it's -- just rephrase
24 it or withdraw the question.

25 Q. So I'm using present tense.

1 What is Carver's understanding or the
2 reason the tug and barge allided with the
3 bridge?

4 MR. RODGERS: Object -- same
5 objection.

6 Do you understand the question.

7 A. I did. The company's
8 understanding of what happened when the tug
9 allided with the bridge was that originally
10 Morrissey stated that he got in with the
11 fenders, later amended the story multiple
12 times. Finally, during -- based on my
13 understanding, during conversations with
14 the Coast Guard, he stated that he got in
15 and hit the bridge while he was piloting
16 the vessel.

17 Q. And did -- he was using the
18 autopilot to pilot the vessel?

19 A. I would rely on other people's
20 testimony to that. I'm not specifically
21 sure.

22 MR. RODGERS: And objection to
23 the extent as the document speaks for
24 itself that you've shown the witness, which
25 is and in some kind of an incident log that

1 says, "Mate James Morrissey reports the
2 autopilot was not completely turned off.
3 He was able to correct and switch back over
4 to hand steering and began backing on the
5 Weeks 281 barge," et cetera, et cetera.

6 So that's the document in front
7 of him and you are asking him to guess at
8 something when the document says what it
9 says.

10 Q. Is there anything else to add
11 to your answer?

12 A. I mean the Coast Guard
13 investigation has not been completed. So
14 we have an understanding of what we believe
15 happened, but we do not have the final
16 incident report or investigative report
17 from the Coast Guard.

18 Q. There wasn't anybody else at
19 the Helm at the time of the allision other
20 than Captain James Morrissey, correct?

21 A. That is my understanding.

22 Q. Was there any damage to the tug
23 as a result of alliding with the bridge?

24 A. I would rely on the testimony
25 of Brian, Lenny, and the information in

1 evidence. But I'm aware -- unaware of any
2 damage to the tug as a result of the
3 allision to the bridge.

4 Q. Was there any damage to the
5 barge as a result of alliding with the
6 bridge?

7 A. I would repeat that answer as
8 it relates to the barge. There was
9 potentially some superficial damage but no
10 noticeable damage that we were made aware
11 of previously or subsequently that I'm
12 aware of.

13 Q. Did Weeks Marine make any claim
14 against the company on account of damage to
15 its barge?

16 A. Not that I'm aware of.

17 Q. Okay. Can you mark that as 18,
18 please?

19 Thank you.

20 (Whereupon, Exhibit 18 was
21 marked for identification.)

22 Q. Mr. Laraway, you've been handed
23 what's been marked as Exhibit 18, an e-mail
24 sent June 24th, 2024 from Brian Moore to a
25 number of people.

1 You've told us who Thomas
2 Feeney is, Lenny Baldassare, Jason Galioto.
3 Who is Dylan Galm?

4 **A. He's our salesman.**

5 Q. You referred to him previously
6 I think in another answer.

7 **A. I did.**

8 Q. And who is Melissa Kool?

9 **A. She was the financial**
10 **controller for this business unit for a**
11 **brief period of time including the June of**
12 **last year.**

13 Q. Does she still work for the
14 company?

15 **A. She does, just not in that**
16 **role.**

17 Q. You've told us who the CMT
18 dispatch is.

19 In Mr. Moore's e-mail, the
20 second dark bullet, you see it there? It
21 says, "In the past we were charging one way
22 and now we are charging each way from JC to
23 PN."

24 Did I read that correctly?

25 **A. You did read that correctly.**

1 Q. Do you know what JC or PN are?

2 A. I do not.

3 Q. And then it says, "Note light
4 tug in invoice." Do you see that?

5 A. Yes.

6 Q. Does this somehow relate to
7 getting paid for work that Carver Marine
8 Towing is doing with its tugs?

9 A. I would rely on Brian's
10 testimony and the evidence that we have
11 provided. I'm -- I would be guessing.

12 Q. So the second to last
13 bullet -- dark bullet that begins with
14 "Logs are awful."

15 There is two bullets underneath
16 it. One says, "Resend the logs." The
17 second one says, "Resend the logs standards
18 and show what needs to be entered."

19 Do you know what the log
20 standards are?

21 A. I personally do not.

22 Q. Do you have any information
23 about when they may have been sent
24 previously by, I guess, somebody, the crew?

25 A. I would rely on Brian's

1 testimony and the evidence we provided or
2 the documents we've provided.

3 I don't know what they are to
4 surmise when they may have been previously
5 provided.

6 Q. Okay.

7 MR. CHAPMAN: Can you mark that
8 as 19, please?

9 THE REPORTER: 19 or --

10 Q. I think we're on 19.

11 THE REPORTER: 19.

12 A. Okay.

13 (Whereupon, Exhibit 19 was
14 marked for identification.)

15 Q. Mr. Laraway, you've been handed
16 a document marked Exhibit 19, which is an
17 e-mail sent July 7 -- excuse me, July 19th,
18 2024 from Jason Galioto to Brian Moore,
19 with an attachment in the form of, it looks
20 like an Excel spreadsheet titled "Near
21 Miss-Incidents, JHA."

22 Do you see that?

23 A. I do.

24 Q. Okay. There -- this begins
25 with Carver ESI000020, and with the -- what

1 I believe is the attachment, which is a
2 printout of the spreadsheet. It ends in
3 Carver ESI000037.

4 If you turn to the second page,
5 which is the beginning of the spreadsheet.

6 Have you ever seen this before?

7 **A. Not that I recall.**

8 Q. Okay. On it, I just want to
9 direct your attention to three entries on
10 Page 1. There's one on February 28, one on
11 April 1st, and another one on May 3rd
12 involving the Mackenzie Rose.

13 You see those?

14 **A. I do.**

15 Q. First one says, "Equipment
16 issue" and the other two say, "Navigation
17 equipment."

18 **A. Yes.**

19 Q. It's a little hard to follow,
20 but it looks like the second page. When
21 it's printed out is just sort of whatever
22 was in the next column.

23 If you were to look at it in an
24 Excel spreadsheet, I think it would kind of
25 all line up. But the -- you don't have any

1 memory of seeing this spreadsheet at any
2 time before today?

3 A. I mean, it may have been
4 in -- it definitely was in all of the
5 documents, but I don't recall having
6 reviewed this.

7 Q. Okay. If you look at the
8 February 28 entry for the Mackenzie Rose,
9 where it says, "Equipment issue," on the
10 following Page 22.

11 It says, "Autopilot failure
12 that if had gone overlooked may have
13 resulted in a navigation incident."

14 Do you see that?

15 A. I see that.

16 Q. And the one on April 1st for
17 the Mackenzie Rose, almost in about the
18 middle of the second page it says, "SAT
19 compass failed causing erratic inputs in
20 the autopilot texts sent to
21 nav -- investigate."

22 Do you see that?

23 A. I see that.

24 MR. RODGERS:

25 Just -- objection. Just the -- whether we

1 produced it this way or whatever.

2 MR, CHAPMAN: It's the way it
3 prints out. I mean, I --

4 MR. RODGERS: Okay.

5 MR. CHAPMAN: -- well, I can't
6 control that --

7 MR. RODGERS: It's not lined
8 up, so we're just --

9 MR. CHAPMAN: I get it. It's
10 not easy --

11 MR. RODGERS: I just want to
12 make that --

13 MR. CHAPMAN: We're navigating
14 our way through it.

15 MR. RODGERS: Very good.

16 Q. So here's my question. Where
17 it says, "Text sent to investigate," what
18 was investigated?

19 A. I mean, I would rely on the
20 testimony of Brian and Lenny and the other
21 members of the crew that had any knowledge
22 in the documents we produced.

23 I would have to make an
24 assumption based upon what I'm reading here
25 to say exactly what's on --

1 MR. RODGERS: Don't assume --

2 A. -- I'm not going to do that.

3 MR. RODGERS: Yeah, don't

4 assume or guess.

5 Q. So that I'm -- so basically you
6 don't know and you would depend on whatever
7 others have said or what documents have
8 been produced about it; is that fair?

9 A. Correct.

10 MR. RODGERS: Objection.

11 Q. All right, and then the --

12 MR. RODGERS: Object. I am not
13 done.

14 MR. CHAPMAN: I apologize. I
15 thought you were.

16 MR. RODGERS: You have the
17 documents that relate to those texts
18 and you've questioned people on them.

19 So if you want to put those in
20 front of him, you can ask questions,
21 but this is -- you're -- this is not
22 specific and you're asking him to
23 guess --

24 MR. CHAPMAN: Well --

25 MR. RODGERS: -- but he's

1 answered, so just continue, please.

2 Q. So the one on May 3rd, okay,
3 for the Mackenzie Rose, it says,
4 "Navigation equipment."

5 Do you see that?

6 **A. Yes.**

7 MR. RODGERS: Again, I'm going
8 to object, because this incident is
9 in Helm CONNECT and you have other
10 documents which are more specific.

11 Ask your question.

12 Q. And it appears that the line
13 related to that on the following page says,
14 "Rudder went hard over," and so it says.

15 Do you have any information
16 about that?

17 **A. I would have to rely on the**
18 **testimony of others, Brian and Lenny and**
19 **the crew and the documents produced.**

20 Q. And do you know whether any
21 techs, technicians were charged with
22 investigating that one?

23 **A. That one specifically, I would**
24 **rely on the testimony of Brian and Lenny,**
25 **the others and the documents we've**

1 produced.

2 I do not specifically have
3 knowledge as to what any techs may or may
4 not have investigated.

5 Q. So back to Page 1 of Exhibit
6 19, the e-mail itself?

7 A. Mm-hmm.

8 Q. Under the caption or heading
9 called, "Incident reports." It says that
10 there were so many in first quarter, so
11 many in second quarter and then year to
12 date.

13 And then right after that
14 there's a dated entry May 21, 2024. It
15 says, "The Mackenzie Rose filed one for the
16 autopilot inducing a hard turn to port."

17 Do you see that?

18 A. I do see that.

19 Q. That one for some reason's not
20 listed on this spreadsheet that we're
21 looking at, Page 2.

22 But my question is, do you know
23 whether there was any investigation
24 regarding that report of the autopilot
25 inducing a hard turn to port?

1 MR. RODGERS: What date was
2 that?

3 MR. CHAPMAN: May 21, 2024.

4 A. I would've to rely on the
5 testimony of Brian and Lenny and the
6 documents we've provided.

7 I don't have any knowledge of
8 any investigation.

9 Q. Okay. And then the next entry
10 on Page 1 of Exhibit 19, it's dated
11 6/15/24.

12 It says Mackenzie Rose bridge
13 incident which as everyone knows is under
14 legal review.

15 Do you see that?

16 A. I do.

17 Q. Okay. Was there any
18 investigation by technicians or otherwise
19 of the autopilot in the aftermath of -- or
20 the steering system, either one, in the
21 aftermath of --

22 MR. RODGERS: Objection to
23 form.

24 Q. -- the allision with the
25 bridge?

1 MR. RODGERS: You can answer.

2 A. I would have to rely on the
3 testimony of Brian and Lenny and the
4 documents provided.

5 I do not -- I'm not
6 specifically aware of any autopilot
7 investigation.

8 Q. And did you do anything to
9 determine that? I mean --

10 MR. RODGERS: Objection.

11 Q. -- I hear what you've said you
12 would rely on others --

13 MR. CHAPMAN: Let me finish
14 my -- -

15 MR. RODGERS: No I --

16 MR. CHAPMAN: No, let me finish
17 my question and you can object.

18 MR. RODGERS: Okay, finish the
19 question.

20 Q. My -- I heard what you said
21 that you would rely on the testimony of
22 Brian and Lenny and documents that have
23 been produced.

24 But I'm just asking, did you do
25 anything to specifically determine whether

1 there was any effort to investigate the
2 autopilot in the aftermath of the allision
3 with the bridge?

4 MR. RODGERS: Objection.

5 Immediately after the reporting to
6 the Coast Guard, the Coast Guard
7 conducted an investigation.

8 They investigated every aspect
9 of this, which you were aware of
10 because you were there at the
11 hearings or the interviews. And
12 that's who did the investigation.

13 You are asking if they did
14 their own investigation when the
15 Coast Guard was investigating it?

16 MR. CHAPMAN: That's exactly
17 what I'm asking.

18 MR. RODGERS: At the same time?

19 MR. CHAPMAN: That's exactly
20 what I'm asking.

21 MR. RODGERS: Okay.

22 A. And my answer would remain the
23 same. Brian and Lenny were conducting the
24 investigation in conjunction with the Coast
25 Guard.

1 I would rely on their testimony
2 as to the process and results of the
3 investigation and the documents in
4 evidence.

5 I am not personally involved
6 with any investigation regarding the
7 autopilot.

8 Q. So including whether there were
9 any technicians engaged to come and check
10 it out?

11 A. Correct.

12 Q. So if -- just continuing to
13 look at Exhibit 19, a little further down
14 beginning on Page 25, that is the Carver
15 ESI000025.

16 Do you have that?

17 A. I do.

18 Q. So that's a -- appears to be
19 another spreadsheet that's been printed out
20 and produced this way, but there's a
21 reference to May 21, 2024, Mackenzie Rose
22 in the navigation category.

23 And then if you turn to the
24 next page, where you think the spreadsheet
25 extends out, it says, "Autopilot put boat

1 in hard left turn."

2 Is that right?

3 **A. I see that.**

4 Q. And whether there was any
5 investigation by technicians or otherwise
6 of that, do you have any knowledge?

7 **A. I would rely on the testimony**
8 **of Brian and Lenny on that front.**

9 I do not have specific
10 firsthand knowledge as to if that specific
11 thing was reviewed --

12 Q. Okay.

13 **A. -- without -- off the top of my**
14 **head.**

15 Q. Okay. Let me pass over to you
16 what was marked as Exhibit 6 at Mr. Moore's
17 deposition.

18 MR. CHAPMAN: I'm sorry, I
19 don't have one for you, Mr. Rodgers.

20 Q. But I believe this is about
21 five days of daily logs for the Mackenzie
22 Rose, beginning three days before the
23 bridge allision, the day of the bridge
24 allision and then the day following,
25 essentially June 12th to June 16th, 2024.

1 You see that?

2 **A. I do.**

3 Q. All right. Have you seen these
4 before today?

5 **A. I may have seen them during my**
6 **review and preparation for my deposition.**

7 Q. All right. So on June 12th,
8 2024 the vessel was apparently at a
9 shipyard in Baltimore standing by for
10 repairs.

11 You see that?

12 **A. That is what that says, yes.**

13 Q. Do you know the purpose of
14 those repairs?

15 **A. I would have to rely on the**
16 **testimony of Brian and Lenny. I do**
17 **not -- and the crew.**

18 Q. So are you aware that the
19 vessel had taken the barge, the Weeks 281,
20 dropped it off and, the City of Chesapeake
21 on the Southern Branch of the Elizabeth
22 River, and then had gone up to Baltimore to
23 have some repairs, where it stayed for few
24 days before returning to the Norfolk to
25 pick up the barge?

1 MR. RODGERS: Are you telling
2 him that or?

3 MR. CHAPMAN: No. I'm just
4 asking if he's aware of it.

5 A. I'm not specifically aware of
6 that sequence.

7 Q. Okay. Is there a different
8 sequence that you're aware of or --

9 A. No. I'm just not aware of the
10 specific days leading up to the incident.

11 Q. Okay. So I'm just interested
12 in what repairs, you know, were made to the
13 vessel.

14 So out of curiosity, we sent a
15 subpoena to the General Ship Repair
16 Corporation in Baltimore.

17 MR. RODGERS: Did you produce
18 these to us?

19 MR. CHAPMAN: Yep, mm-hmm.
20 Sure did.

21 And that's 21?

22 THE REPORTER: I believe it is
23 20.

24 MR. CHAPMAN: Okay.

25 MR. RODGERS: Is that 20?

1 MR. CHAPMAN: 20.

2 (Whereupon, Exhibit 20 was
3 marked for identification.)

4 Q. You've been handed Exhibit 20,
5 which is a invoice that was produced
6 pursuant to a subpoena by the General Ship
7 Repair Corporation, dated June 14th, 2024,
8 to Tug Mackenzie Rose and Carver Companies.

9 Do you see that?

10 A. I do.

11 Q. And it says on it that there
12 two items that are being invoiced. The
13 first is, "To prepare and weld to keeper
14 plate onto the port rudder post."

15 See that?

16 A. I do.

17 Q. Do you know what the reason or
18 the need for that repair was?

19 A. I would rely on the testimony
20 of Brian, Lenny, the crew, and the
21 documents we have produced.

22 I personally don't even know
23 what a keeper plate is, so I cannot attest
24 to that.

25 Q. Okay. And then second -- the

1 second item there is, "Provides straps to
2 secure STBD," which I presume to be an
3 abbreviation for starboard-side fender for
4 transit.

5 Do you know what the purpose of
6 that repair was?

7 A. I would reiterate the same
8 answer. I would rely on the testimony of
9 Brian, Lenny, the crew and the documents
10 we've provided.

11 I don't know why they would do
12 that.

13 Q. And do you know any reason for
14 why these repairs would be done in
15 Baltimore?

16 A. I would rely on the testimony
17 of Brian and Lenny. I don't.

18 Q. Can you hand me Exhibit 6 back
19 so I don't lose track of it, please?

20 A. Yes, sir.

21 Q. Thank you.

22 MR. CHAPMAN: We've been going
23 a little bit over an hour. Why don't
24 we take a short break and come back?

25 THE VIDEOGRAPHER: We are going

NICHOLAS LARAWAY

June 17, 2025

1 off the record. The time is
2 3:03 p.m.

3 (Whereupon, a short recess was
4 taken.)

5 THE VIDEOGRAPHER: Beginning
6 Media Number 6. We are back on the
7 record. The time is 3:17 p.m.

8 Q. Mr. Laraway, I have a few
9 questions about the condition of the
10 vessel.

11 It was equipped with what's
12 referred to as AIS, an automated kind of
13 tracking system; is that right?

14 MR. RODGERS: You're telling
15 him or asking him?

16 MR. CHAPMAN: I'm just -- well,
17 I'm asking him to confirm it because
18 I know that it was, but yeah.

19 **A. That is my understanding.**

20 Q. Okay. So and is AIS or the
21 automated tracking system used on all of
22 the Carver vessels, to your knowledge?

23 **A. I would have to rely on the**
24 **testimony of Brian or Lenny. I don't know**
25 **specifically that it's on all of our**

1 **vessels.**

2 Q. Okay. Have you ever seen any
3 information that was extracted from the AIS
4 system pertaining to the allision with the
5 Belt Line's Bridge?

6 **A. Not that I recall.**

7 Q. Did the Mackenzie Rose have a
8 working radar system at the time of the
9 allision with the bridge?

10 **A. I would have to rely on the**
11 **testimony of Brian, Lenny, the other**
12 **members of the crew and the documents we've**
13 **produced.**

14 Q. So just to be clear, you don't
15 know and you presume that they do, right?

16 MR. RODGERS: Objection to
17 form.

18 **A. Correct.**

19 MR. CHAPMAN: Could you mark
20 this as 21?

21 **A. Thank you.**

22 (Whereupon, Exhibit 21 was
23 marked for identification.)

24 Q. You've been handed a document
25 marked as Exhibit 21, which is a

NICHOLAS LARAWAY

June 17, 2025

1 declaration of Josef Malik. Am I
2 pronouncing the last name correctly, sir?
3 Which is dated on June 9th, 2025, as
4 reflected on Page 3.

5 Do you see that?

6 **A. Yes.**

7 Q. All right, have you
8 previously --

9 MR. RODGERS: Just to be clear,
10 this has to do with the documents we
11 produced?

12 MR. CHAPMAN: Yeah, mm-hmm.

13 MR. RODGERS: Okay.

14 Q. Have you previously seen this?

15 **A. I have.**

16 MR. RODGERS: I didn't hear
17 that.

18 **THE WITNESS: I have.**

19 Q. Did you have any --

20 MR. RODGERS: No, I didn't hear
21 the question.

22 MR. CHAPMAN: I said, have you
23 previously seen this?

24 MR. RODGERS: Okay.

25 MR. CHAPMAN: That is before I

1 just handed it to him, marked as
2 Exhibit 21.

3 MR. RODGERS: I understand
4 that.

5 MR. CHAPMAN: Okay.

6 MR. RODGERS: I have some
7 hearing loss --

8 MR. CHAPMAN: Yeah.

9 MR. RODGERS: -- in my ear from
10 too much gun --

11 MR. CHAPMAN: Yeah.

12 MR. RODGERS: -- Navy gunfire,
13 I should say.

14 Q. Have you -- do you have any
15 involvement in preparing it?

16 **A. Preparing this document?**

17 Q. Correct.

18 **A. I did not.**

19 Q. At the time you saw it, had it
20 already been signed by Mr. Malik?

21 **A. Yes.**

22 Q. Did you participate in any way
23 in the searches that are described in
24 Mr. Malik's declaration?

25 MR. RODGERS: And what do you

1 mean participate? In what capacity?

2 MR. CHAPMAN: In any capacity.

3 I'm just -- that's my question.

4 Q. Did you participate in any of
5 the searches that are described --

6 MR. RODGERS: Other than
7 communication with his lawyers, us,
8 me?

9 MR. CHAPMAN: Well, if the
10 witness doesn't understand the word
11 search, we'll sort that out too.

12 Q. But I'm just asking if you
13 participated in any of the searches that
14 are described in Mr. Malik's declaration,
15 Exhibit 21.

16 A. Beyond providing access to my
17 data if requested, I don't recall having
18 specifically participated in searching for
19 any of this stuff.

20 Q. And what do you mean by
21 providing access to your data?

22 MR. RODGERS: Just -- okay. Go
23 ahead.

24 You are talking to -- is your
25 question about what his lawyers asked

1 him to do?

2 MR. CHAPMAN: My question is
3 what he meant by providing access to
4 his data or what he referred to as
5 his data.

6 MR. RODGERS: You can answer
7 that.

8 A. I mean, we have numerous cases
9 ongoing. I've provided my cellphone. I
10 don't know if that was something that
11 was -- without reading through this thing
12 entirely, I don't know if that's something
13 that's been searched in conjunction with
14 this case or if that other cases. We have
15 three active lawsuits going on at the
16 moment.

17 Q. Okay. If you look at Page 4,
18 it's titled, "Addendum A, e-mail ESI
19 search."

20 Do you see that?

21 A. Yep.

22 Q. So it describes custodians, and
23 I don't see your name or your e-mail among
24 them.

25 A. Okay.

1 Q. Right. So does that in any way
2 inform you about?

3 A. If that's the case then I did
4 not participate in the search for this
5 data.

6 Q. Okay. If you -- again, on Page
7 4 under custodians, the third bullet.

8 MR. RODGERS: Just -- I'm
9 sorry, Jim, but I think this
10 affidavit or -- I'm sorry,
11 declaration is for all our efforts
12 and the addendum is just the e-mail
13 ESI search.

14 MR. CHAPMAN: Yeah. And that's
15 what I'm asking about right now.

16 MR. RODGERS: Just that did you
17 understand that he was just asking
18 about that?

19 THE WITNESS: I understand that
20 now.

21 MR. CHAPMAN: Yep.

22 MR. RODGERS: Now he
23 understands that Jim.

24 MR. CHAPMAN: Okay.

25 Q. So my question is, the third

1 bullet there on the custodian says,
2 "Cmiller@carvercompanies.com." It's got
3 this parenthetical, (Captain Chris Miller,
4 check. This is correct Carver e-mail.)

5 Do you know whether Captain
6 Miller, at least while he was alive, had an
7 e-mail address of
8 cmiller@carvercompanies.com?

9 A. I personally do not know if
10 that is his e-mail or if that e-mail ever
11 existed.

12 Q. Do you know of any, in the next
13 bullet it says, "Crew members with a Carver
14 e-mail address," but doesn't list anybody.

15 Do you know of any other crew
16 members that had Carver Company's e-mail
17 addresses on the Tug Mackenzie Rose?

18 A. I personally am not aware of
19 any.

20 MR. CHAPMAN: So I don't have
21 any further questions at this time.
22 And pass the witness to, you know,
23 others on the Zoom if they have any
24 questions or whether you need to do
25 any follow up.

1 MR. NANAVATI: I'm just -- this
2 is Mark Nanavati. Just a couple of
3 questions.

4 EXAMINATION

5 BY MR. NANAVATI:

6 Q. And if I missed this I
7 apologize and I am confident that Jim will
8 object.

9 But do you know whether or not
10 there was working radar on Mackenzie Rose
11 on the date of the allision?

12 MR. RODGERS: Objection. Asked
13 and answered, but you can answer.

14 A. I would rely on the testimony
15 of Brian, Lenny, the crew, the documents
16 we've provided.

17 And as we summarized in the
18 end, I have no reason to believe there
19 wasn't, but I don't know firsthand.

20 Q. Okay. And when you are saying
21 that you're relying on the testimony of
22 Brian, Lenny, the crew, what other crew are
23 you relying on?

24 A. For that answer specifically or
25 for all of the times I said that.

1 Q. Let's start with that answer
2 specifically.

3 MR. RODGERS: Just for the
4 record, Mark, is, when he states that
5 he is relying on the crew's testimony
6 to date, which you're aware of was
7 testified, but we also have Jason
8 McGrath tomorrow and potentially
9 Morrissey on next week, and Captain
10 Miller unfortunately passed away.

11 That's what he's referring to,
12 but he can still answer the question
13 if --

14 MR. NANAVALATI: Well, I mean,
15 now that you've answered it for him.

16 Q. Is Mr. Rodger's answer, your
17 answer?

18 MR. RODGERS: Is that --

19 A. Yes.

20 MR. RODGERS: -- what I said,
21 correct?

22 A. Correct.

23 Q. Okay. And when you're saying
24 documents produced in response to that
25 question, which documents are you referring

1 to?

2 A. I mean, there were thousands of
3 documents produced throughout the discovery
4 is my understanding.

5 I have reviewed many of them.
6 I can't speak to which ones specifically
7 would attest to the working condition of
8 the radar if any.

9 Q. So you're suggesting that we go
10 through the documents and pick ones out
11 that's responsive to the question and that
12 will be your answer?

13 MR. RODGERS: Objection to
14 form. Of course you just answered
15 your own question, yes. You should
16 do your homework.

17 Q. So you can't identify a single
18 document as you sit here today that would
19 answer the question regarding the status of
20 the radar on the date of the allision, can
21 you?

22 A. Not specifically, no.

23 Q. Okay. I don't have any further
24 questions for you, sir. I appreciate your
25 time.

NICHOLAS LARAWAY

June 17, 2025

1 A. Thank you.

2 MR. RODGERS: Anybody else?

3 I need a few minutes with the
4 witness and Mr. Malik and then we'll
5 come back.

6 But you're done for -- other
7 than follow up to follow up.

8 MR. CHAPMAN: Yeah.

9 MR. RODGERS: Let's -- yeah.
10 All right. It'll just be a couple
11 minutes.

12 THE VIDEOGRAPHER: Okay. We
13 are going off the record. The time
14 is 3:29 p.m.

15 Off the record.

16 (Whereupon, a discussion was
17 held off the record.)

18 THE VIDEOGRAPHER: Beginning
19 Media Number 7. We are back on the
20 record. The time is 3:20 -- 35 p.m.

21 MR. RODGERS: Okay. We have no
22 follow-up questions at this time.

23 Thank you, Jim. Thank you,
24 Mark.

25 THE REPORTER: And --

NICHOLAS LARAWAY

June 17, 2025

1 MR. RODGERS: And thank you
2 Madam Reporter and Madam
3 Stenographer -- no, Madam
4 Videographer.

5 THE REPORTER: And would you
6 like a copy of a rough and a copy of
7 the transcript?

8 MR. RODGERS: No, just the
9 transcript.

10 THE REPORTER: Okay.
11 Mark, copy of the transcript?

12 MR. NANAVATI: Yes, please.

13 THE REPORTER: And would you
14 like a rough draft as well?

15 MR. NANAVATI: No, thank you.

16 THE REPORTER: Okay, got it.
17 Thank you so much.

18 MR. RODGERS: Are we closed?

19 MR. CHAPMAN: Till tomorrow.

20 MR. RODGERS: Okay.

21 THE VIDEOGRAPHER: Okay. This
22 is the end of the video deposition of
23 Nicholas Laraway.

24 The time is 3:36 p.m. And we
25 are off the record.

NICHOLAS LARAWAY

June 17, 2025

1 (Thereupon, the examination
2 was concluded at 3:36 P.M.
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

NICHOLAS LARAWAY

June 17, 2025

1 A C K N O W L E D G M E N T

2

3

4 STATE OF NEW YORK)

5 :ss

6 COUNTY OF)

7 I, Nicholas Laraway, hereby certify
8 that I have read the transcript of my
9 testimony taken under oath on 06/17/2025;
10 that the transcript is a true, complete and
11 correct record of what was asked, answered
12 and said during this proceeding, and that
13 the answers on the record as given by me
14 are true and correct.

15

16 _____
Nicholas Laraway

17

18

19 Signed and subscribed to
20 before me this _____ day
of _____, 2025

21

22

23 _____
Notary Public

24

25

26

NICHOLAS LARAWAY

June 17, 2025

1 C E R T I F I C A T E

2 STATE OF NEW YORK)

:ss

3 COUNTY OF SUFFOLK)

4 I, LARIN KAYWOOD, a Notary Public
5 within and for the State of New York, do
6 hereby certify:

7 That the witness whose examination is
8 hereinbefore set forth was duly sworn and
9 that such an examination is a true record
10 of the testimony given by such a witness.

11 I further certify that I am not
12 related to any of these parties to this
13 action by blood or marriage, and that I am
14 not in any way interested in the outcome of
15 this matter.

16 IN WITNESS WHEREOF, I have hereunto
17 set my hand this 17th day of June, 2025.

18

19

20

21



Larin Kaywood

22

23

24

25

NICHOLAS LARAWAY

June 17, 2025

1 Errata Sheet

2

3 NAME OF CASE: IN THE MATTER OF COEYMANS MARINE TOWING

4 DATE OF DEPOSITION: 06/17/2025

5 NAME OF WITNESS: NICHOLAS LARAWAY

6 Reason Codes:

7 1. To clarify the record.

8 2. To conform to the facts.

9 3. To correct transcription errors.

10 Page _____ Line _____ Reason _____

11 From _____ to _____

12 Page _____ Line _____ Reason _____

13 From _____ to _____

14 Page _____ Line _____ Reason _____

15 From _____ to _____

16 Page _____ Line _____ Reason _____

17 From _____ to _____

18 Page _____ Line _____ Reason _____

19 From _____ to _____

20 Page _____ Line _____ Reason _____

21 From _____ to _____

22 Page _____ Line _____ Reason _____

23 From _____ to _____

24

25 _____

NICHOLAS LARAWAY

June 17, 2025

\$	00490 5:7	12 106:3,4,9,12 108:3 109:19	1630 137:24	14:13,17 19:11 31:4 56:17 118:22 124:5 153:21
\$2 34:12,16 35:2	00996 118:19	12303 6:14,21	164 78:10	2,921,213.50 38:7
\$2,921,213.50 36:2,14	1	12:18 97:11	16th 126:20 158:25	2.9 38:6
\$3 37:20	1 5:2 7:15 43:6 62:23 99:16 112:24 118:20 120:6 121:7 148:10 153:5 154:10	12:32 97:17	17 136:21,23 137:1 139:20	20 39:18 54:14 160:23,25 161:1,2,4
\$3,070,000 48:2 49:2 51:8,17		12:58 117:24	1737 125:4	2010 9:10
\$4 39:7 40:21 41:23 53:12	1.13 88:18	12th 158:25 159:7	17th 5:9	2011 8:13,16
0	10 57:19 99:3,5, 7,10	13 118:8,9,10	18 144:17,20,23	2014 12:2 16:14
00 99:24	104 6:13	13th 36:14	18th 28:19 29:15	2020 11:13 32:18 50:22 51:7,17
000163 74:20 75:20	10:08 5:10	14 122:8,10,13	19 147:8,9,10, 11,13,16 153:6 154:10 157:13	2021 39:18 41:11 42:1
000191 28:12	10:41 19:10	14th 161:7	1917 49:22	2022 35:25 36:15 37:21
000231 40:6	11 103:11,12,15 106:6	15 126:14,16,19 137:5	1930 51:3	2024 14:5 15:2 19:9 20:10 21:11 22:16 23:10 28:2,19 29:15 31:8,25 45:18 54:3 60:2 71:16 72:8 79:3 82:17 83:4 84:11 86:12 93:1 96:21
000817 89:14	11/1/2023 48:16	15th 22:16 23:10 71:16 72:8 79:3 93:1 96:21 100:25 102:13 123:17 131:6 137:25 138:15	195(6) 113:3	
000898 88:1	11:05 56:11	16 135:9,10,12	19th 147:17	
000910 91:18	11:18 56:18	163 74:18,19 77:16	1st 54:14 148:11 149:16	
001929 49:22	11:40 75:6		2	
001962 54:16	11:50 75:10		2	
001963 55:15				

NICHOLAS LARAWAY**June 17, 2025**

100:25	40:11,12	59:7	<hr/> 5 <hr/>	174:19
102:13 103:1, 17 122:17,22	24th 137:3 144:24	35 174:20	5 39:11,12,14 42:2,8,25 118:4	7.1 91:17
125:25	25 157:14	3:03 163:2	50 74:4	7.3 87:21
126:20 137:3, 25 144:24	28 148:10 149:8	3:17 163:7	528 137:21	7.5 89:12
147:18	281 138:9 143:5 159:19	3:20 174:20	531 137:14	<hr/> 8 <hr/>
153:14 154:3	28th 135:13	3:29 174:14	<hr/> 6 <hr/>	8 49:21,23 57:8,9,10,11
157:21	29th 103:16	3:36 175:24 176:2	6 40:19 43:11, 12 158:16 162:18 163:6	8.8F 118:14
158:25 159:8	2:00 117:22	3rd 122:17 148:11 152:2	6,15/24 135:16	816 89:19
161:7	2:06 118:5	<hr/> 4 <hr/>	6.4 99:11	817 89:20
2025 5:9 39:6 41:15,23 52:19 53:9 54:5,15 57:24 165:3	2nd 122:22	4 33:20,23 34:1 35:24 73:11 75:12 87:15, 21 97:16 168:17 169:7	6/15/24 154:11	843 99:24
20th 15:2 19:9 20:9 21:11 28:2 31:8,17, 25 32:11,14 82:17 83:3 84:11 86:12 127:23 130:8	<hr/> 3 <hr/>	4.03 77:23	673 47:14,15	845 99:25
21 50:22 153:14 154:3 157:21 160:21 164:20,22,25 166:2 167:15	3 27:21,24 75:9 165:4	4.03-1 77:18	674 47:15	899 88:17
212 104:19	30 36:5	4.05 77:23	6th 39:18	<hr/> 9 <hr/>
22 149:10	300 10:18	4.05-1 78:11	<hr/> 7 <hr/>	9 57:7,12,15 58:4,5
224-cv-009 5:6	31 51:7	46 77:18,23 78:11	7 40:19 47:7,9, 12 63:1 147:17	9.5 73:8 75:16 119:20
231 40:12	319 122:15			9/27/2024 113:5,7
237	32 101:23			997 118:19
	33			

NICHOLAS LARAWAY

June 17, 2025

9th 165:3	33:4,7,9 35:10,12,15 51:1	addressed 14:9 28:1 39:16 44:1	53:1,4	12,19 84:9 86:10 92:25 100:23 102:4, 12,25 106:20 107:1 115:18 116:5 120:13 121:16 123:17 135:24 136:7, 15 138:14 139:22 143:19 144:3 154:24 156:2 158:23,24 164:4,9 171:11 173:20
A	acquiring 33:1	addresses 16:21,22 170:17	agreement 104:11,22 105:3	
a.m. 5:10 19:10 56:12,18 75:7,10	acquisition 34:11	addressing 78:12	ahead 25:25 63:22 82:10 167:23	
abbreviation 162:3	acre 10:19	adjacent 10:18 11:16	aid 118:25	
abrupt 128:6	acronym 107:22 109:14	admin 126:22	AIS 163:12,20 164:3	
Absolutely 32:1 61:19	action 115:15 116:7, 14	Administered 108:15	Albany 10:17 109:11	
abstract 34:1 36:12	actions 22:21 23:13 67:22	administratio n 9:24	Albright 28:14,15 32:13	allisions 73:4 118:23
access 23:24 86:16, 18,19 87:4 123:6 167:16, 21 168:3	active 168:15	administrator 108:14	alcohol 99:17 100:22 101:1,2,8,12, 13,14 103:3 105:9	allowed 37:6 56:9
accident 76:1 100:14	actual 70:13	advice 21:23	alignment 21:9,16	alongside 138:10
accident/ incident 75:16	add 140:20 143:10	affidavit 169:10	alive 170:6	amended 142:11
accordance 113:1	addendum 168:18 169:12	aftermath 102:11 125:23 138:13 154:19,21 156:2	allided 71:15 72:6 140:3 141:3 142:2,9	America 104:23
account 51:2 132:15 144:14	adding 46:8	agent 78:14	alliding 14:4 15:8 143:23 144:5	American 104:5
accurate 43:5	additional 122:4	aggregate 29:8 30:4	allision 45:16 52:17 58:16,23 60:1 61:2 73:2 78:22 79:1, 14,19 80:8,	amiss 20:17 21:3
accusations 18:2	address 6:12 123:2,10 125:14,19,22 126:23 170:7, 14	Agneta 17:13,14 20:5,7		amount 36:2,13,21,25 37:7 38:6 39:8 41:1 48:2,6,13 49:2 52:14 61:14 62:13 64:16,23 65:1 66:21
acquired 12:3,7 32:20		agreed 49:3,11 51:16		

NICHOLAS LARAWAY

June 17, 2025

AMS 104:23	157:18	attached 7:20 15:2	automatic 90:5	B
ancillary 10:21	applicants 100:5	20:13 21:10	autopilot 89:22,25	back 12:11 26:2,11
answering 69:11	appraisal 38:5,9,13	104:8 135:20	91:2,7 97:20	31:3 45:13
answers 44:23 93:12	39:5,6 41:1,4, 8,14,22 42:1	attachment 120:20	98:20 138:6, 15,20,24	50:9 51:17
Anthony 16:22 17:8	43:2,20,22	137:10,12,21	139:5,16	52:8 56:17,19
19:20 31:24, 25	44:11 50:22	147:19 148:1	142:18 143:2	60:25 74:2
Antony 16:24	53:24 56:20	attachments 124:20	149:11,20	75:9 85:24
apologies 40:2	appraised 37:5,9	attempting 87:9	153:16,24	86:1 87:16,19
apologize 13:24 68:5	approximatel y 32:21 58:19	attending 103:21	154:19 155:6	90:15,18
106:8 151:14	April 54:14 148:11	attention 148:9	156:2 157:7, 25	95:3,5 97:16
171:7	149:16	attest 112:10	aware 13:3 14:6	112:24
apparently 104:9 159:8	area 30:22 109:11	161:23 173:7	18:17 64:3,6	117:22 118:4
appears 14:20 27:23, 25 28:17 31:6	arrangement 65:18	attorney 14:8 16:25	80:9 82:9,14	122:6 124:18
34:5,10,13	asks 21:23	18:1,4,8	84:5,12 86:7, 13 91:13,15	138:7 143:3
35:25 43:6, 19,21 44:17	aspect 156:8	19:17,19	93:5 96:13,22	153:5 162:18, 24 163:6
45:5 49:4	assessment 81:21	22:8,9	97:25 98:3,6, 10,13,19	174:5,19
58:2 76:23	assistant 31:7	attorney- client 23:1 68:22	101:10 102:6	backing 138:8 143:4
91:19,22	assume 113:2 126:7	71:2 72:19	103:5 104:24	Baldassare 16:3 22:15
103:15,22	151:1,4	133:1,17	105:24	23:11 32:6
104:7 106:7	assumption 123:20	attorneys 67:18 69:5	110:15	68:4,12 69:21
114:22	150:24	70:16,19	115:20	72:14 81:4,7, 23 82:25
118:21	assured 51:16	71:3,6	125:21 129:8	83:7,21 84:2, 6 98:22
122:16,19,20		August 11:13	130:3,21	103:17
124:16 125:8		automated 163:12,21	136:19	126:20
126:23			137:18	127:15 133:8
135:13 137:2			138:20 144:1, 10,12,16	134:19 137:4
152:12			155:6 156:9	145:2
			159:18 160:4, 5,8,9 170:18	Baldassare's 22:17 23:7,21
			172:6	ballast 30:5
			awareness 110:8	Baltimore 159:9,22
			awful 146:14	160:16

NICHOLAS LARAWAY

June 17, 2025

162:15	91:18	102:4,12	117:15	71:16 72:8
bank	Bayside	103:1 106:21	162:24	78:23 79:2,20
35:6,7,10,13,	11:15	115:18 116:6	Brian	80:24,25
22 36:19	bed	164:5	15:14 18:12	82:23 83:1,2
37:5,25 39:16	128:8,20	benefit	22:6 23:13	84:15 91:17,
42:19 43:16	began	63:18	28:1 31:13,15	20 92:2 93:8,
44:6	8:20 110:16	betwee	32:2 52:2	16 94:7
barge	138:8 143:4	60:20	60:15 67:20	96:19,20
61:3,7 62:2	begin	bit	71:21 82:13	100:24 102:5,
65:25 80:23	12:9 19:18	27:5 56:20	91:9 92:9	12 103:1
82:23 123:17	beginning	65:22 162:23	93:3,11 95:11	106:21
124:15 138:9	5:2 16:14	block	97:23 101:17	115:19 116:6
140:3 141:3	56:16 75:8	114:11	103:17 107:4	119:10,15,22
142:2 143:5	89:12 97:15	115:10,13,14	110:4,14	121:18,21,24
144:5,8,15	118:3 148:5	blocks	111:13 122:2,	123:16,18
159:19,25	157:14	115:11	17 123:4	124:14
barges	158:22 163:5	BNB	125:10,21	135:24 136:7,
12:8	174:18	35:6,7 42:19	126:6,21	15 138:11,12,
based	begins	board	127:15	17 139:22
14:21 38:2,20	89:18,19	9:2 10:2	129:11,22	140:4 141:3
58:21 67:25	122:14	101:12	130:14	142:3,9,15
74:13 91:10	146:13	boat	135:14	143:23 144:3,
96:1 112:16	147:24	12:7 128:9	136:16 137:4	6 154:12,25
115:9 133:16	behalf	157:25	139:1,14,25	156:3 158:23
137:10	5:20,24 7:2	bolts	143:25	164:5,9
142:12	19:9 25:9	46:7	144:24	bridges
150:24	37:10 79:25	bottom	147:18	92:18
bases	belief	40:20 56:22	150:20	briefing
59:25	96:1	57:1 74:16	152:18,24	92:15,17
basically	believes	87:25 100:1	154:5 155:3,	bring
99:16 134:18	79:8	bow	22 156:23	60:7
151:5	bell	123:16	158:8 159:16	broker
basis	44:8	branch	161:20 162:9,	17:15 20:5
51:16 53:14	Belt	92:19 159:21	17 163:24	brought
55:9 62:1,8	5:21 14:5	break	164:11	73:19
64:22	15:8 45:16	27:5 55:19	171:15,22	Brunswick
Bates	71:16 72:7	66:16 74:22	Brian's	11:15
19:24 28:9	79:2,20 86:10	96:25 97:3	146:9,25	bulk
40:5 54:9	96:20 100:24		bridge	26:24 27:2,6
87:25 89:13			14:5,7,9 15:8	bullet
			20:17 21:8	
			45:16 61:4,5	

NICHOLAS LARAWAY

June 17, 2025

76:15 145:20 146:13 169:7 170:1,13 bullets 146:15 bump 128:20 bunch 78:19 business 9:12 10:24 11:13,24,25 12:2 30:2 65:18 80:2 103:25 134:21 145:10 businesses 10:22 11:9 26:19 buzzing 112:13	Canada 11:15 capabilities 94:6 capacity 80:5 110:6 167:1,2 captain 16:5,8,15 81:8,10 82:5, 6 83:19 84:1, 8 93:16 95:12 96:7 106:19 115:16 123:5 128:18 143:20 170:3, 5 172:9 captain's 94:5,9 captains 16:12 97:19 127:3 caption 153:8 Cardona 16:24 17:8 19:20,22 31:25 cargo 10:20 26:20, 24 61:20 Carlo 17:12 Carolina 10:15 11:9 26:21 30:25 31:2 carries 45:12	Carver 5:5,25 6:2 7:19 8:8,10, 12,15,18,21, 23 9:1,25 10:5,7,25 11:24 12:1, 17,24 13:2, 14,18,19,24 15:15,19 16:4,5,9 17:1 20:1 21:18 25:8 28:12,16 29:5,11,25 30:3 32:10, 16,19 33:2 34:7 37:10,12 45:22 46:11 49:3,22 50:16 51:2 54:19, 20,23 55:14 59:24 61:11, 17 62:11 63:23 64:4 73:14 74:17, 18 75:20 79:8,17,21, 22,25 80:3,6, 11 82:8 86:15,17,25 88:1 89:8,13 91:18 93:7,14 94:5 95:17, 18,22,24 99:23 102:13, 22,23 103:2, 22,24 104:21 105:2,7 106:12 113:4, 16,18,21,22 114:4,5 115:22 117:3 118:13,18 122:15 123:8	127:7 135:22 137:11,13 141:22 146:7 147:25 148:3 157:14 161:8 163:22 170:4, 13,16 Carver's 58:16 73:3 76:20 77:25 78:25 80:16 81:21 86:8 96:18 140:2,6 141:2,5 142:1 Carver00073 47:12 Carvers 50:17 case 5:6 117:1 168:14 169:3 cases 168:8,14 casualty 52:16 60:19 76:14,18 77:17 78:11, 18 category 157:22 causing 149:19 CCS 16:19 cellphone 168:9 Center 34:4	certification 51:3 cetera 119:11 143:5 CFR 77:18,23 78:11 chairman 9:2 challenging 132:18 chance 7:25 change 49:13 102:13 Chapman 5:18 6:24 7:11 14:11 20:1,21,25 21:7,14 23:4, 17,25 24:5,23 25:17 27:19 28:11 33:19 35:17,19,23 38:10,14,25 39:10 40:1,10 41:12 43:3,10 44:16,22 47:4,6,14 48:8 49:17 50:2,5,10,14 53:1,4,6 54:2, 6,8,17,20,22 55:4,8,12,14, 17,20,25 56:3 57:6,11 59:10 62:15 63:19 69:7,14 70:18,23 73:18,22 74:1 75:1 83:13
C				
call 8:8 12:17 17:21,25 18:12 29:17 37:19 65:24 85:16 88:6 91:24 99:23 125:18 called 18:9 73:7 81:3 92:15 153:9 calls 116:21 129:1				

NICHOLAS LARAWAY**June 17, 2025**

85:2,10,13,22 90:23 92:22 94:13,18 98:9 99:1,4 102:9 103:10 106:2 117:14,18,21 118:9 129:19, 25 131:14 132:4,16 140:7,18 141:17 147:7 150:2,5,9,13 151:14,24 154:3 155:13, 16 156:16,19 158:18 160:3, 19,24 161:1 162:22 163:16 164:19 165:12,22,25 166:5,8,11 167:2,9 168:2 169:14,21,24 170:20 174:8 175:19	Chesapeake 159:20 chief 6:1 108:20 128:4 Chris 127:2 137:25 170:3 chris. miller63@ hotmail.com. 126:24 chrismiller63 @hotmail. com 127:6 Christopher 81:10 115:16 128:18,19 137:25 CHRO 108:21 circumstance s 92:1 City 12:7 159:20 claim 144:13 clarify 141:18 cleaning 128:14 clear 24:19 31:22 62:22 71:12 75:23 121:9 133:6 164:14 165:9	client 30:8 132:5 clip 87:16 close 33:22 87:18 closed 175:18 Clyde 5:24 cmiller@ carvercompa nies.com 170:8 Cmiller@ carvercompa nies.com. 170:2 CMT 15:17 134:14 145:17 coach 94:15 coaching 94:17 Coast 9:13 11:1,19 18:23 19:1,5 30:9 34:3 76:17 78:16 79:18 80:7, 11,14,18 100:16 111:7 116:11,23 119:19,22 136:1 142:14 143:12,17 156:6,15,24 code	6:20 76:25 77:13 78:1 Coeymans 5:4,24 7:18 8:9 10:16,17, 21,23 12:20, 21,22,25 13:2,9 34:7 80:2 coffee 56:5 collection 107:6 college 9:3 Collision/ allision 118:15 collisions 118:20 color 91:25 column 111:6,7 148:22 communicati on 22:14 167:7 communicati ons 23:2,9 Community 36:19 37:5 39:16 43:16 44:6 companies 6:2 8:13 9:25 10:5,7 11:11 12:1,24	13:14,24 28:16 105:7, 20 113:5,16, 19,22 161:8 Companies' 127:7 company 5:22 7:3 16:10,17 33:11 45:12 46:13 47:18 48:12,18 49:4 57:25 79:22 81:19 90:4 91:6 99:19 103:4 104:4 108:11,23 109:12 110:17 119:5, 15 124:7 134:15 144:14 145:14 company's 26:19 91:1 142:7 170:16 companying 9:7 compass 149:19 compiled 22:8 completed 132:16 143:13 completely 138:6,24 139:6 143:2 completion 52:19
--	--	---	---	---

NICHOLAS LARAWAY**June 17, 2025**

compliance 117:6	31:9 99:24 118:19	continuation 109:21	Corp 34:7	151:9 157:11 164:18
comply 23:13	133:20 134:3, 7,13 136:6,14 139:21,24	continue 110:18 152:1	corporate 25:4,8 26:3,6	166:17 170:4 172:21,22
components 61:4	152:9	continued 115:22	Corporation 160:16 161:7	correctly 58:6 93:24 108:17
concerns 78:13	connected 8:22	continuing 35:24 85:4 157:12	correct 13:16,22 14:1 15:9,15,16 16:5,6 25:5	145:24,25 165:2
concluded 176:2	connection 87:8,12 99:17	contract 105:23	26:23 34:8,9, 13 35:4 36:2, 3 40:23 42:6 44:13 48:3,4 49:12 50:17, 24 51:4,5,9, 10,12,13 52:12,13 55:16 58:7 65:2 76:2,11 77:19,20,24 78:23,24 79:14,15 81:17,20 82:7,15 87:13 88:24 89:10 90:7 91:21,22 92:16 93:23 96:17 99:19, 20 100:25 102:5 108:6 110:24 113:19,24 114:9 118:20, 21 119:1,2,6, 7,17,23,24 121:22 122:19 124:15,16 127:5,23,24 133:9 138:7 143:3,20	correspon den ce 19:18 22:10 80:14
conclusion 77:10 116:13	considered 125:18 127:6	Contreras 5:11		cost 51:12 65:24
condition 39:15 43:7 163:9 173:7	consisting 78:18	control 150:6		counsel 5:15 19:23 23:19 24:13 25:1,15,21 26:4,14 54:13 66:22
conducted 96:13 129:12 156:7	consortium 104:1	controller 46:1 145:10		counsel's 56:9
conducting 156:23	construct 61:5	convenient 117:15		couple 7:21 106:14 171:2 174:10
confer 63:14	construction 10:13 29:9	conversation 18:6,11 20:4 29:20 31:15		court 5:12,16 26:1, 11 85:23 86:1 90:18 95:5 106:10
confident 171:7	contact 30:11 86:9 119:21	conversation s 18:10 20:6 31:18,21 60:23 142:13		cousin 114:19
confirm 129:13 163:17	contacted 19:1,4 62:7	conveyed 81:22		coverage 45:11
confirmed 119:14	contained 73:5	Copies 56:21,25		covering 115:3
confuse 85:12	containerized 26:25	copy 15:21 47:16 53:24 55:6,23 59:11 73:17, 19 74:2 175:6,11		covers 118:20,22
confused 84:3	containers 27:5			
conjunction 156:24 168:13	content 127:16			
connect	contents 90:24 126:5			
	context 26:19 79:16			

NICHOLAS LARAWAY**June 17, 2025**

credit 64:2	customers 11:6	dates 54:15	167:14 169:11	description 138:1,4
Crenshaw 5:19	D	day 32:3,6,14 67:3,23 113:6,10 114:3 158:23, 24	deep 10:15 11:7	designated 8:4 79:19
crew 9:17 93:4 100:23 102:2 126:1,10 127:16 134:1 146:24 150:21 152:19 159:17 161:20 162:9 164:12 170:13,15 171:15,22	d/b/a 5:5,25 7:18 8:10 12:18	days 31:6 36:5 80:15,25 158:21,22 159:24 160:10	definitions 7:21	desk 43:20,21
	daily 158:21		degree 9:11	desktop 44:10
	damage 119:25 121:18 143:22 144:2, 4,9,10,14		delivering 61:20	detail 88:15 130:19
	Dan 28:14,15 32:13	deadline 101:14,21	demand 46:14 64:1	detailling 106:14
crew's 172:5	Dan's 30:8	deal 30:3	depend 151:6	details 106:14
Criscione 34:6	dark 145:20 146:13	dealing 23:2	depicted 125:2	determine 137:17,19 155:9,25
cross 50:13	data 167:17,21 168:4,5 169:5	dealt 42:16	deposition 5:3 7:4,9,18 8:1 59:6,13 68:1 71:9 73:12 75:12 80:21 87:9,13 88:5 120:7 132:8 133:18 136:10 158:17 159:6 175:22	devices 22:13 23:5
CSX 28:19 29:24 30:3,8,11,22	date 5:8 19:10 49:7 60:1,18 67:8 68:7 84:9 94:3 153:12 154:1 171:11 172:6 173:20	debate 24:6		difference 34:19
curiosity 160:14		Deblasi 44:3		difficult 46:18
curious 41:20		deblasi@ dime.com. 42:11	depositions 91:8 92:8 93:3,11	digital 124:3
current 9:22,23		deceased 81:13 94:10	deps 73:22	Dime 35:13,22 36:18,19 37:4,9,24 39:16 40:6,7 42:16,22 43:15 44:6
custodian 170:1	dated 39:17 48:15 131:6 153:14 154:10 161:7 165:3	deckhand 128:12	derailment 30:15	Dime000159 43:18
custodians 168:22 169:7		deckhands 128:8	derailments 30:16	direct 19:16 133:15 148:9
customer 29:25		declaration 24:7 165:1 166:24	describes 168:22	

NICHOLAS LARAWAY**June 17, 2025**

directing 70:9 72:16	division 11:4,5 16:11	162:9 164:12 165:10 171:15 172:24,25 173:3,10	17:10,17,19 19:8,13 20:12 27:25 29:14, 21 31:21 42:9 103:16,23 104:8 115:13 120:20 122:13,16,21 123:1,7,10 124:4,13 125:14,17,19, 22 126:19,23 127:7 129:11 135:13,20 137:2,16 139:20 144:23 145:19 147:17 153:6 168:18,23 169:12 170:4, 7,10,14,16	economics 9:12
direction 61:10	doc 119:11	dollars 32:22 34:16 35:1 58:5,20 59:20 60:21		educate 67:6
directly 19:12 86:19 93:5 100:13	document 34:5 38:23 43:15 48:7,9, 11 49:7 50:15 57:18 62:17 73:11 74:7 91:12 97:7 103:14 119:25 134:1 137:1 139:18 142:23 143:6, 8 147:16 164:24 166:16 173:18	dots 31:9		educated 92:11
director 9:24		dozen 7:22		effort 156:1
directors 10:3		draft 175:14		efforts 169:11
disciplinary 115:17 116:7		dropped 159:20		eligible 109:23 110:1
disciplined 106:20		drug 101:21 102:1, 7,9,14 103:2, 7 104:1 105:5,9		Elizabeth 92:19 159:21
discount 64:2	Documentation 34:3	due 92:3	e-mailed 82:17	embedded 124:3,13
discovery 25:20 26:5 40:3 47:18 71:22 93:13 95:14 96:12, 16 114:22 120:3 122:14 130:15 136:18 173:3	documents 37:11 40:6 62:14 68:7 71:21 74:4 93:2,12 94:2 95:13 97:23 98:23,24 101:18 107:3, 7 111:8,10, 13,18,19,24 112:9 122:2 125:10 130:15 139:2, 15 140:1 147:2 149:5 150:22 151:7, 17 152:10,19, 25 154:6 155:4,22 157:3 161:21	duly 6:4	e-mails 14:16 123:2	emergency 29:9 30:7,13
discussed 63:11		Dutchman 6:13	ear 166:9	employed 8:8,12 16:16 29:11 42:22 102:23 108:11 117:10
discussion 174:16		duties 116:4	earlier 26:18 34:14 57:23 113:8	employee 9:20 100:13 107:16 113:15,18 117:3
dispatch 15:17 145:18		Dylan 65:20 66:11 145:3	earth 10:13	employees 83:6 93:8 100:4 114:3 131:9
dispatchers 15:19,20,25		E	easier 140:24	employment 8:21 110:16 113:4 116:7
distinguish 134:17		e-mail 14:7 15:1,11, 18 16:20	East 11:1,19 30:9	employment-wise
diversified 10:8			easy 150:10	

NICHOLAS LARAWAY

June 17, 2025

115:17	149:9 152:4	event	42:2,8,25	experience
end	equipped	48:23 134:2	43:12 47:9,23	60:9,11
59:21 74:6,14	89:22,24	136:12	49:18,21,23	expert
103:25	97:21 163:11	eventually	50:21 57:15	60:16 89:4
113:20	equity	20:6 139:2	58:4 59:7	90:9 139:10
171:18	34:21	evidence	62:23 73:11	explain
175:22	erratic	97:24 101:18	75:12 87:15,	34:18
ends	149:19	107:3 125:11	21 99:1,7,10,	extends
40:11 122:15	error	139:15 144:1	22 103:11,12,	30:24 157:25
148:2	100:15	146:10 147:1	15 106:4,6,9,	extent
engage	ESI	157:4	12 108:3	21:23 77:8
26:20	28:12 168:18	examination	109:19 118:7,	90:11 142:23
engaged	169:13	6:23 171:4	10 120:6	extra
157:9	ESI000020	176:1	121:7 122:10,	59:11
engineer	147:25	examined	13 126:16,19	extracted
128:5	ESI000025	6:6	135:10,12	164:3
England	157:15	exceeds	136:23 137:1	
31:1	ESI000037	53:11	139:20	F
entered	148:3	Excel	144:20,23	
104:21 105:3	ESI000201	147:20	147:13,16	F-O-R-O
107:15	103:22	148:24	153:5 154:10	105:21
146:18	ESI000307	exclusively	157:13	facilitates
entire	20:2	27:3	158:16 161:2,	10:19 11:17
76:24	ESI000313	excuse	4 162:18	facilities
entities	122:15	43:14 44:11	164:22,25	27:8 105:12
114:4	ESI000527	89:15 133:15	166:2 167:15	facility
entity	137:13	147:17	exhibits	10:16 26:22
13:13,15 29:5	ESI000541	execution	74:24	27:10,11,14
33:12 114:1	135:22	112:12	exist	fact
entries	essentially	executive	96:10	80:25 101:14
112:15 148:9	158:25	9:24	existed	139:20
entry	establish	exhibit	170:11	facts
36:11 111:4	70:21	7:15,20	existence	86:5 129:13
137:22 149:8	Estimated	14:13,17	35:7	failed
153:14 154:9	40:21	19:11 27:21,	exists	149:19
equipment	Evanston's	24 31:4	96:11,15	failure
30:20 46:9	132:14	33:23,25	expect	149:11
148:15,17		35:24 39:12,	52:1	
		14 40:20	expected	
			52:2	

NICHOLAS LARAWAY**June 17, 2025**

fair 25:2 40:21 48:20 51:6 53:15 116:15 151:8	figure 112:8	fixed 118:23	65:14 120:15	128:14
false 81:22,25	file 107:9 112:1	fleet 12:4 105:18	forwarded 28:18,23 29:14,21 103:23 104:9	Galm 65:20 145:3
familiar 112:22 125:11	filed 36:14 153:15	focused 91:1	forwarding 14:21 29:18 122:20	gap 125:8
family 8:22	files 50:17 96:5	follow 22:21 74:10 78:1,7 148:19 170:25 174:7	Foundation 102:17	gear 128:10
February 148:10 149:8	fill 87:22	follow-up 174:22	founder 9:1	Gellatly 33:10,11 34:6 50:23
federal 76:25 77:14 78:1	filled 112:20 134:1, 7,12	food 128:15	freight 63:1	general 13:5 15:14 49:8 52:3 60:15 76:6 87:5 160:15 161:6
fee 62:12	final 36:11 143:15	forget 31:23	frequent 30:11	generalists 108:10
feel 110:17	financial 46:1 145:9	form 20:19,22 42:4 53:18 60:4 67:17 78:4 84:22 85:1,3, 9 86:24 87:2, 21 88:12,17 89:2,4,8,15 92:6,21 94:19 101:6 116:21 130:9 141:7 147:19 154:23 164:17 173:14	front 38:24 50:20 75:13 143:6 151:20 158:8	generally 48:18,24 66:3 111:17 126:6
Feeney 102:20,21 103:16,24 104:10 145:2	find 17:16 41:7 65:4 83:22 84:4 88:7 107:12,13 127:21	formed 12:6 16:10	full 129:12	geographical 10:12
felt 128:6,9,20	fine 75:2	Foro 105:20	full-time 8:20	Georgia 31:2
fender 83:2 162:3	finish 92:23 116:22 155:13,16,18	forthcoming 98:25	future 34:23 95:12 97:24	get all 87:17
fendering 80:23 84:15 129:10 138:10	finished 135:15	forward 22:10 29:1	G	gist 133:21
fenders 142:11	firm 5:19		G-E-L-A-P-E-L-Y 33:16	give 54:9,12 65:23 66:5 130:18 140:10
field 60:16	firsthand 95:15 158:10 171:19		Galioto 103:18 117:2 122:17 145:2 147:18	giving 24:12
			galley	good 6:25 7:1 57:2 59:15 96:24

NICHOLAS LARAWAY**June 17, 2025**

132:20 136:5 150:15 grab 75:2 117:15 graduate 9:9 grainy 121:8,11,13 Great 60:24 Greater 12:14 grounding 78:22 group 15:18,22 78:17 Guard 9:14 18:23 19:1,5 34:3 76:17 78:16 79:18 80:7, 11,14,18 100:16 111:7 116:12 119:19,23 136:2 142:14 143:12,17 156:6,15,25 Guard's 116:23 guess 51:23 57:3 92:11 106:14 116:4 123:22, 25 143:7 146:24 151:4, 23 guessing	146:11 Gulf 11:1,19 12:8 gun 166:10 gunfire 166:12 guys 26:25 56:4 <hr/> H <hr/> half 58:4,19 59:20 60:20 hand 138:8 143:4 162:18 handed 27:24 99:9 122:12 126:18 136:25 144:22 147:15 161:4 164:24 166:1 handle 26:25 114:7 125:17 handled 45:25 handles 45:21 46:7 handling 26:20 hands 68:10 happen	66:7 103:6 119:23 132:22 happened 24:18 66:10 80:15 94:24, 25 119:16 130:17,20 142:8 143:15 happening 110:9 happy 54:10 hard 148:19 152:14 153:16,25 158:1 head 61:16 72:2 158:14 header 14:22 heading 72:5 77:17 92:15 153:8 hear 46:18 70:5 71:24 98:4 155:11 165:16,20 heard 46:24 155:20 hearing 166:7 hearings 156:11 Heidelberg 11:14	held 56:15 97:14 118:2 174:17 Helm 99:24 118:19 133:20 134:3, 7,12,25 135:1,7 136:6,14 137:5 139:21, 24 143:19 152:9 helped 30:18 hey 19:23 65:25 hidden 118:23 high 59:21 higher 41:1 48:21 63:2 hired 61:24,25 103:2 117:9, 12 Historically 30:16 hit 14:7 118:25 119:1,21 128:15 142:15 hitch 123:6 hitting 84:15 119:4	hold 9:13 55:9 holding 13:15 homework 173:16 hour 55:23 162:23 hourly 114:2 hours 101:23 137:24 140:22 HR 107:23 108:9, 20 HRIS 107:18,21 human 70:13 100:15 107:24 humor 140:19 hundreds 111:17 <hr/> I <hr/> identification 7:16 14:14 27:22 33:24 39:13 43:13 47:10 49:24 57:16 99:8 103:13 106:5 118:11 122:11 126:17
---	--	---	---	---

NICHOLAS LARAWAY**June 17, 2025**

135:11	138:21	industries	insurance	investigated
136:24	139:21	10:11	17:14 20:5	150:18 153:4
144:21	142:25	industry	25:1 45:10,21	156:8
147:14 161:3	143:16	60:9,11	46:12 48:24	investigating
164:23	149:13 152:8	inform	49:4 52:15,25	18:21 152:22
identified	153:9 154:13	126:4 169:2	53:21	156:15
7:4	160:10	information	insure	investigation
identify	incident/	21:19 24:25	48:22	110:14
19:24 173:17	accidents'	46:12 65:14	insured	116:11,24
ignore	77:2	67:19 68:9,14	47:21 48:6,12	129:12,23
50:5	include	70:22 79:13	51:16 52:12	130:4,6,10
images	60:14 69:5	81:3,6,23	53:14 58:9	131:12
124:3,12	76:24	82:3,9,14	insured/	143:13
IMG1731.JPG	included	84:7,14,20	agreed	153:23 154:8,
124:22	20:13 33:11	89:1 107:23,	48:2	18 155:7
IMG1732	126:8	24 128:21	insures	156:7,12,14,
125:3	includes	129:6,7 133:2	48:18	24 157:3,6
immediately	60:13 66:3	143:25	intended	158:5
78:12 79:18	including	146:22	79:14	investigation
80:7,18 156:5	8:17 14:16	152:15 164:3	intentionally	s
imposed	29:7 47:20	infrastructure	83:17	106:24 111:8
37:25	120:1 145:11	10:14	interested	investigative
improper	157:8	Ingrid	160:11	143:16
95:1	incorrect	5:11	intermodal	invoice
incident	82:3,9 84:9,	initiate	27:4	63:23 64:12,
14:3 18:17	14,19	21:20	internal	14,17 66:2,6
19:5 63:4	increase	initiated	106:15 136:2	146:4 161:5
67:3,8 73:8	53:21	108:15,16	internally	invoiced
76:1 77:18	increased	130:7	116:11 125:7	64:8 66:14
100:14	52:15,19	injury	interviews	161:12
117:11 119:4	individual	100:14	156:11	involved
120:13	137:19	inputs	interworkings	23:8 26:12
125:24	individuals	149:19	135:7	37:18 78:17
127:22	17:19	Inspection	introduce	100:14 110:9
133:19,25	inducing	78:16	5:15	112:11 157:5
134:2,6,12,25	153:16,25	instructing	investigate	involvement
135:1,8,16,23	industrial	132:5	149:21	100:18 110:7
136:6,14	10:8,15,19	instructions	150:17 156:1	166:15
137:6,22	11:11	91:20		involving
				14:3 15:7

NICHOLAS LARAWAY**June 17, 2025**

100:15 148:12 iphone 124:6,23 iphones 124:8 issue 129:9 131:12 148:16 149:9 issued 124:7 issues 30:18 item 162:1 items 67:22 161:12	JC 145:22 146:1 Jennifer 42:10 44:1,3, 5 JHA 147:21 Jim 19:23 28:8 33:17 35:15, 16 45:1 46:14 57:5 59:9 71:12 72:17 74:21 90:20 133:4 140:17 141:16 169:9, 23 171:7 174:23 job 61:3,8,23 62:11 63:24 jobs 8:17,18 Jochum 46:3,4 52:3 joined 9:6 Josef 6:1 165:1 Jr 16:24 17:8 19:20 31:24, 25 July 103:16 122:17,22 125:24 147:17 June	5:8 14:5 15:2 19:9 20:9 21:11 22:16 23:9 28:2,19 29:15 31:8,25 32:11,14 45:18 71:16 72:8 79:3 82:17 83:3 84:10 86:11 92:25 96:21 100:25 102:12 103:1 123:17 125:24 126:20 130:8 131:6 135:13 137:3,5,24 138:15 144:24 145:11 158:25 159:7 161:7 165:3 Junior 17:4 K Kaywood 5:13 keeper 161:13,23 kind 10:4 15:13 65:21 77:9 91:24 99:15 106:15 111:25 113:21 119:3 125:17 142:25 148:24	163:12 kits 101:12,15 knew 15:7 18:19 19:4 70:24 82:25 83:20, 21 84:6,17, 19,23,24 knowing 40:25 115:10 121:19 129:6 knowledge 24:14,17,22, 24 26:8 35:14,18 36:23 42:21 51:15,18 52:5,16 64:7 65:17 66:15 68:11 78:25 82:19,22 89:6 90:12 94:6,21 95:15 96:18 104:15 111:11 139:4, 15 150:21 153:3 154:7 158:6,10 163:22 Kool 145:8 L label 19:25 labeled 75:16 Labor	113:1,2 Lane 6:14 Laraway 5:3 6:10,25 9:1 13:19 27:23 37:12 47:17 59:3 75:11 97:18 99:9 106:11 114:11 118:12 136:25 144:22 147:15 163:8 175:23 large 10:8 larger 38:17 124:12 largest 30:8 38:19 39:5 41:14 Larin 5:13 late 39:17 law 5:19 113:1,2 lawsuit 46:15 lawsuits 168:15 lawyer 31:23 63:13 lawyers 63:12 64:16 67:5,6 167:7, 25
J				

NICHOLAS LARAWAY**June 17, 2025**

lead 22:9 121:17, 21 128:23	164:11 171:15,22	Linstead 108:8 112:14 114:14	longer 16:3 81:18	157:21 158:21 161:8 164:7 170:17 171:10
leaders 60:12	Lenny's 136:17	list 47:23 62:24 170:14	looked 21:13,15 55:1 88:8	mackenzieros
leading 160:10	Leonard 16:3 32:5 81:5 103:17 126:20 127:15 137:4	listed 153:20	lookout 88:18 89:1 96:19	e2@ carvercompa nies 125:16
learn 14:2 82:24 84:16 138:15	letter 14:9 15:2 18:1,19 20:13 21:10,17 22:22 31:7,19 43:14 44:10 82:16 83:3,10 84:10 86:11 106:7,12 113:3 121:20 127:22 129:15 130:8	litigation 23:3	lose 162:19	Madam 85:22 106:10 175:2,3
learned 84:13 140:13		LLC 13:10 113:19, 23	loss 45:11 166:7	made 112:15 141:19 144:10 160:12
leave 66:20		LLP 5:5	lot 29:6 30:17,20	
left 109:1 158:1		loan 37:11,25 38:2	lots 62:5	maiden 114:13
legal 5:14 6:2 21:23 77:9 154:14		loaned 37:24	louder 47:2	maintain 95:22
Lenny 67:20 71:21 80:22 81:3 82:4,13 91:9 92:9 93:3,11 95:11 97:23 101:17 107:4 122:2 123:4 125:10,21 129:8,12,21 130:14 134:23 139:1, 14,25 143:25 145:2 150:20 152:18,24 154:5 155:3, 22 156:23 158:8 159:16 161:20 162:9, 17 163:24	letter's 115:14	locations 10:12 11:18 30:6 105:10, 13,17	lump 62:12 64:23	maintenance 29:7
	licenses 9:14	lock 119:10	lunch 117:16	make 22:7 33:6 71:12 85:3 92:2 94:20 123:19 129:11 144:13 150:12,23
	life 49:11	log 137:5 142:25 146:19	M	Mackenzie 14:3 18:18 39:17 44:12 45:11 47:23 58:17 59:25 61:1 72:6 89:24 100:24 102:3 122:21 123:10 125:13 127:3 135:14 137:3, 16 148:12 149:8,17 152:3 153:15 154:12
	light 81:1 146:3	logged 137:24		makes 115:7
	limit 38:1	logs 146:14,16,17 158:21		making 37:25 61:12 62:5 84:22 92:10 138:16
	limitation 54:3	long 8:7 32:16 54:24 72:12		Malik 6:1 165:1
	limited 27:12	long-term 62:4		
	Line's 164:5			
	lined 150:7			

NICHOLAS LARAWAY**June 17, 2025**

166:20 174:4	76:14,18	126:17,19	Mckenzie	132:19
Malik's	77:17 78:10,	135:11	32:17	Meyerrose
24:7 166:24	16,18 79:22,	136:24 137:1,	meaning	41:19 54:1,2
167:14	25 80:3 86:17	13 139:20	134:14	55:2 57:24
manage	95:18,24	144:21,23	means	58:25
103:2	102:22	147:14,16	92:10 113:2	miced
managed	103:24 114:5	158:16 161:3	meant	46:17
13:10,12	117:4 144:13	164:23,25	138:23 168:3	middle
management	146:7	166:1	Media	89:21 91:23
12:25 73:6,13	mariner	market	5:2 56:17	149:18
74:11 75:24	90:10 110:19	12:7 40:21	75:9 97:16	Miller
86:17 87:7	139:9	48:20 51:6	118:4 163:6	81:11 82:5
90:3,25 99:11	maritime	53:16	174:19	84:8 115:16
118:14 134:6,	11:11 60:16	marks	meet	127:2 128:18,
11,14,15,20	104:5,23	15:12	101:13	19 170:3,6
manager	mark	Marshall	Melissa	172:10
12:16 13:5	7:11 14:11	17:15	46:3 52:3	million
15:15 52:3	16:7,8 27:19	Martin	145:8	32:22,23
60:16 102:22	33:19 39:10	5:20	member	34:12,15,16
managers	43:10 47:6	Mary	9:17 13:10,	35:1,2 37:20
87:5	50:8,10 57:5	50:23	12,20 42:15	38:7 39:7
managing	99:5 103:10	master	110:15	40:21 41:6,23
13:19	106:2 118:6	76:9,10,15	members	52:24 53:12
maneuvered	122:8 126:14	78:14 119:10,	93:4 100:22	58:5,20 59:20
138:9	132:11 133:4	11	102:2 150:21	60:20
March	135:9 136:21	mate	164:12	mind
36:14	144:17 147:7	81:8,15 95:13	170:13,16	28:8 60:7
Marin	164:19 171:2	123:5 138:5	membership	112:5
108:16,19	172:4 174:24	139:1,14	104:10	minds
marine	175:11	143:1	memory	68:10
5:4,5,25 7:18,	marked	materials	19:7 39:1,3	minimum
19 8:9 10:24,	7:16 14:14,17	11:12,14 30:5	40:24 149:1	48:19
25 11:3,4,24,	27:22 33:24	matter	mention	minutes
25 12:2,14,	39:12 42:2	5:4	53:8	75:3 174:3,11
17,22,25	43:13 47:10	matters	mentioned	miscellaneous
13:2,10,18	49:24 57:14,	17:2	26:18 30:6	8:18
15:15,19	16 58:3 59:6	Mcgrath	72:13 83:6	Miss-
16:5,10 32:10	73:11 99:8,	128:5 172:8	merit	incidents
34:7,8 45:22	10,23 103:13,			
	15 106:5			
	118:11 120:6			
	122:11,13			

NICHOLAS LARAWAY

June 17, 2025

147:21	68:3,11 69:22	65:25	76:16 78:15	notify
missed	72:14 82:25	movement	necessarily	76:13,15
134:9 171:6	83:7,20 84:5	10:20	48:10	78:15 79:18
misunderstood	98:22 103:17	moving	needed	80:6,18
68:8 83:14	122:17	22:10	48:23 61:5	119:5,8,15,18
mixed	126:21	multiple	Nicholas	number
83:19,25	127:15	103:7 106:24	5:3 6:10	5:2,6 7:3
mixing	129:22 133:8	142:11	175:23	8:13,17 10:9,
83:17	134:19,23		Nodding	10,11,21
mm-hmm	135:14 137:4	N	9:8	11:18 12:8
28:4 31:5	144:24		Norfolk	14:16 15:11
40:10 62:25	147:18	names	5:21 14:4	30:5 38:17,20
74:20 82:20	Moore's	15:12	72:7 79:2	40:6 42:16
109:20 128:3	59:6 73:12	Nanavati	86:9 96:20	43:17 54:21
130:5 153:7	75:12 120:6	56:23 57:2	138:1 159:24	56:17 63:1
160:19	145:19	131:24 132:6,	north	66:5,16 67:1
165:12	158:16	11,17 171:1,	11:8 27:11,14	74:17,18 75:9
mobile	morning	2,5 172:14	138:10	87:25 89:13
22:13	6:25 7:1	175:12,15	Notary	91:18 97:16
moment	Morrissey	National	6:4	103:21
17:3 168:16	81:16 82:6	34:3	note	104:18 105:9,
money	83:20 84:1,8	native	50:6 114:23	12 118:4,14
38:6	93:16 94:10	120:4	115:2 146:3	119:4,8 122:5
monitor	96:8 97:25	nature	Notes	124:24
5:10	98:24 106:13,	29:2 121:20	111:5	144:25 163:6
month	19 108:16	nav	notice	174:19
120:12	110:16	149:21	7:5,9,17	numbered
121:16	111:16,25	navigating	78:10 113:4	74:9 88:18
138:14	116:8 128:12	150:13	noticeable	125:3
months	138:5 139:1	navigation	144:10	numbering
109:2 136:12	142:10 143:1,	89:13 90:3	notification	74:8
Moore	20 172:9	118:25	134:21 135:8	numbers
13:4 15:1,14	mortgage	148:16	notifications	40:5 54:10
18:13,14	34:12,17,24	149:13 152:4	119:22 134:5,	74:10
22:15 23:11	35:2,5 36:1,5,	157:22	11,24	numerous
28:1 31:15	7,13,19,20,	Navy	notified	168:8
32:3,11 52:2	22,24 37:6,20	166:12	18:23 80:11	nuts
60:15 67:20	mounts	nearest		46:7
	47:20			NY
	move			113:1
	62:1,8 64:22			

NICHOLAS LARAWAY

June 17, 2025

O	171:12 173:13	62:1,7 64:22	80:21 84:6 120:4	parenthetical 119:10 170:3
oath 25:18	objections 46:19 67:13 132:19	ongoing 31:18 111:7 116:12 168:9	originally 142:9	park 10:19
object 21:2 142:4 151:12 152:8 155:17 171:8	objects 118:23	operate 107:18	outcome 106:23	part 13:1,14 46:25 77:1 86:14 89:1 90:2 126:7 136:9
objected 69:18	obligation 79:17	operates 10:25	overlooked 149:12	part-time 8:17 9:4
objection 20:18 21:22 25:14 38:22 42:3 53:17 60:3 63:10 67:10,16 68:21 69:4,20 71:17 72:9,15 77:8 78:3 81:24 83:11 84:18,21,25 85:3,4 86:23 87:2 89:3 90:8,19 92:5, 20 94:8,19 98:7,14 101:5 102:16 104:13,17 116:20 129:1, 17 130:9 131:1,2,15 132:2,24 133:10 138:18 139:7 140:21 141:6, 14,19 142:5, 22 149:25 151:10 154:22 155:10 156:4 164:16	obtain 66:16	operating 13:7	owed 63:2	participate 100:5 166:22 167:1,4 169:4
	obtained 22:7 24:25 28:18 34:2 43:15 126:11	operation 67:2,7	owned 13:14,25 32:16	participated 167:13,18
	occasion 86:16,19	operational 33:7	owner 78:13	participating 62:2
	occasionally 11:1	operations 12:10 26:20 99:18 102:21	P	partner 12:11,13
	occurred 23:9 26:16	operator 12:3,6 78:14	p.m. 97:11,17 117:24 118:5 163:2,7 174:14,20 175:24 176:2	partnership 12:5
	offered 15:3	operators 90:6	pages 57:19 77:22 106:14 124:12 137:12	parts 78:19
	office 55:24 74:2 76:13 78:15, 16,17	opinion 44:11 51:7	paid 34:15,24,25 37:1 61:12,17 64:5,8 66:7, 15 110:13,22, 24 146:7	pass 49:21 73:10 158:15 170:22
	officer 6:2 108:20	Opposing 56:8	Palmetto 27:15	passed 33:25 39:14 55:22 103:14 106:6,9,11 115:24 116:2 135:12 172:10
	officers 13:18	options 121:3	paper 87:16 121:5	past 42:17 103:7 145:21
	offices 79:19 80:7	orange-ish 91:25		
	official 12:15,23 13:6 125:19 127:7	order 74:9 87:17		
	one-off	organization 8:23 10:9 45:21 52:1		
		original 36:24 56:24 59:12 73:19		

NICHOLAS LARAWAY**June 17, 2025**

pay 32:19 62:10 110:18	95:15 110:5 122:3 125:11, 22 126:2 136:20	pick 159:25 173:10	Porter 128:8	preferred 36:13
payroll 110:21 111:2 113:19,23 114:2 115:21	146:21 157:5 161:22 170:9, 18	picture 21:9	portfolio 11:20	prefers 77:22
PBL 138:10	personnel 95:18 96:5 107:8 112:1 114:8	pile 74:23	ports 11:10	prep 69:12,13
PDF 139:19	perspective 25:7	pilot 90:5 142:18	Portsmouth 5:21 14:4 72:7 79:2 86:9 96:20	preparation 71:2,8 131:3 133:18 136:10 159:6
Pearson 16:7,8	pertaining 164:4	piloting 142:15	position 26:4,6 67:24 109:4 117:5	prepare 63:7 68:1 87:9 132:8 161:13
pending 106:23 116:22	phone 17:25 22:18, 19 23:6,7,8, 21,22 65:15 124:6	pink 114:22	possibly 21:16 33:16 94:12	prepared 70:2,6,13,24 71:13
people 67:21 93:21 95:23 144:25 151:18	phones 24:19 25:10 26:14 124:7	plaintiff 5:20	post 161:14	preparing 80:20 166:15, 16
people's 142:19	photo 121:21 138:11	planned 34:22	post-incident 100:10,21 105:8	preposition 98:18
Pepera 44:2,6	photocopied 114:21	plate 161:14,23	posted 96:19	present 141:25
performing 116:4	photograph 20:14 120:2, 5,8 124:24	PN 145:23 146:1	potentially 144:9 172:8	preserve 21:19
period 102:3 116:17 145:11	photographs 57:21 120:1 121:24 123:9 125:1,2,8	point 31:10 116:5	practical 76:14,18	pressure 92:3
person 42:9,14 44:2 78:14 119:9	photos 123:16	pointing 77:14	pre-employment 105:8	presume 50:16 107:7 109:22 162:2 164:15
personal 24:21,24 26:8 89:6 107:8 110:6 111:11	physical 23:5	policies 52:11 102:15	predominantly 27:2 117:7	previous 52:11 59:12
personally 26:12 93:6		policy 49:12 78:1,7 91:1,6	preemployment 100:8	previously 11:12 39:21 41:3 42:18 59:6 73:14
		popped 128:10	prefer 44:19 88:10	
		port 10:16,20 11:8,16 16:4 29:8 153:16, 25 161:14		

NICHOLAS LARAWAY

June 17, 2025

144:11 145:5 146:24 147:4 165:8,14,23 pride 92:3 print 56:2 108:4 printed 40:2 121:1,4 148:21 157:19 printout 109:22 112:20 139:19 148:2 prints 150:3 prior 8:1,16 72:11 83:2 86:11 89:19 92:25 93:19 117:11 priorities 76:9 privately 13:25 privilege 55:6,10 133:2,17 privileged 70:22 probability 124:10 problem 64:24 procedure 73:3,5 76:1, 21	procedures 77:2 proceed 94:20 proceeds 138:11 process 26:13 53:21 65:23 66:3 72:20 110:10 136:18 157:2 processes 114:2 processing 106:15 produce 160:17 produced 17:17 39:25 40:8 46:11 47:17 49:16 50:15 62:18, 21 68:7 73:14 94:3 107:11 111:16 120:2 122:2,14 135:21 137:11 140:1 150:1,22 151:8 152:19 153:1 155:23 157:20 161:5, 21 164:13 165:11 172:24 173:3 production 103:21 productions 54:23	prohibited 99:18 100:18 101:4,22 prohibiting 91:6 prohibition 90:4 91:11,14 127:11 prohibitive 100:6 project 62:2,5 projects 30:10 pronounce 12:19 pronounced 42:10 pronouncing 108:17 165:2 proper 85:9 property 29:7 protocol 124:23 protocols 102:14 provide 26:13 30:7 91:19 93:8 94:5 96:4 109:16 113:3 provided 14:15 22:18, 23,24 23:23 25:1 26:4 30:4 62:14	66:13 67:19 68:15 69:6 71:4,5,22 80:22 82:3 84:7,14 93:3, 12,15 95:14, 23 96:12,16 97:19 101:18 114:21 129:7 130:15 139:3 146:11 147:1, 2,5 154:6 155:4 162:10 168:9 171:16 provider 109:11,13 providing 23:20 25:21 167:16,21 168:3 Public 6:4 purchased 34:21 purporting 44:10 purpose 88:25 159:13 162:5 pursuant 40:7 43:16 46:14 161:6 push 12:7 128:10 pushing 61:3,7 put 37:20 38:24 87:16 128:14	151:19 157:25 putting 35:1 <hr/> Q <hr/> quality 121:14 quarry 11:14,18 quarter 153:10,11 Queens 27:10 question 22:4 25:2,24 40:13 41:2 42:5 44:23 45:1 50:7 53:19 77:10 78:6 82:1 85:6,9,14,20, 21 86:3,4 89:20 90:13 91:5 92:7 93:5,18 95:1, 2,21 98:17 101:7 110:3 129:4,5 130:3,11 131:19,21,24 136:5 140:23 141:1,8,10, 13,24 142:6 150:16 152:11 153:22 155:17,19 165:21 167:3, 25 168:2
---	---	---	--	--

NICHOLAS LARAWAY

June 17, 2025

169:25	100:9 105:8	142:2 161:17	20:12 21:24	22 96:7
172:12,25	range	162:13	63:2 84:10	111:15
173:11,15,19	39:6,8 41:16	171:18	122:21	recovered
questioned	59:22 121:3	reason's	127:18,22	25:12
151:18	rate	153:19	receiving	redo
questioning	66:12 114:3	reasons	17:18 18:12	85:8
104:14	re-ask	80:17 100:7	130:7	reduction
questions	85:14	recall	recent	64:2
31:11 67:1	re-do	13:11 14:8	41:10 109:3	reestablished
73:15 87:4	85:6	17:18,20,24	recently	36:6
132:14,18	reached	18:12,16,24	14:16 16:18	refer
151:20 163:9	19:17,22	19:2,6,15	52:19 58:22	77:12
170:21,24	64:21	20:7 28:24	59:3 87:12	reference
171:3 173:24	read	29:19,23	recess	107:14 112:9
174:22	18:1 26:2,11	31:20 32:7,8,	56:14 97:13	118:18
quick	28:22,24	15 33:8,12	118:1 163:3	157:21
62:23 97:5	68:16,19	34:20 37:22	recipient	referenced
quickly	69:3,20,24,25	38:4,16 39:7	17:10	18:18
73:25	70:1 85:23	40:17,25	recognize	references
quotation	86:1 90:15,18	41:5,15,24	14:18	43:1 137:9
15:12	95:2,5 112:4	42:20 45:8,19	record	referred
quote	125:25	60:22 62:13	6:8 19:24	145:5 163:12
65:23	130:24,25	64:13,23 81:9	26:10 28:10	168:4
quoting	131:25 132:1	105:25 107:5	42:25 46:11	referring
66:4	133:3,6,7	108:25	47:12 48:15	31:3 75:15
	137:23	117:11	56:11,13,18	79:21 87:15
	145:24,25	120:14,17	66:21 75:6,10	172:11,25
R	reading	121:12	85:25 90:17	refers
	58:5 91:10	127:19 136:8,	95:4 97:11,	43:23 77:18
radar	150:24	11 138:19	12,16 104:13	101:3
164:8 171:10	168:11	148:7 149:5	117:24,25	refinancing
173:8,20	real	164:6 167:17	118:4 131:5,	37:19
rail	97:5	recalling	18 163:1,7	reflected
27:9,11,12,15	realize	57:23	172:4 174:13,	165:4
railroad	57:17 112:4	receipt	15,17,20	refurbishing
5:22 29:24	reason	116:23	175:25	33:6
railroads	36:4,8 51:20	receive	recorded	regulation
27:13	53:23 110:11	15:21 134:24	36:8	
random	140:3 141:2	135:1	records	
		received	23:20 95:17,	
		14:7 17:25		

NICHOLAS LARAWAY**June 17, 2025**

77:14	138:25	repeat	reporting	146:16,17
regulations	139:13,24	41:2 72:11	73:3 75:17	Resources
77:1 78:2,8	142:19	85:19,21	76:1,8 77:2	107:24
rehire	143:24 146:9,	90:13 95:20	79:17 100:16	respond
109:23 110:2	25 150:19	131:19	119:4 135:8	19:12
reiterate	152:17,24	132:25 134:9	156:5	responded
95:9 162:7	154:4 155:2,	144:7	reports	40:3
relate	12,21 157:1	rephrase	134:25 135:1	responding
111:25 146:6	158:7 159:15	20:20 21:5	136:2,3 138:5	19:8
151:17	161:19 162:8,	141:10,23	143:1 153:9	response
related	16 163:23	replace	represent	17:16,18 24:4
30:18 31:10,	164:10	48:25	17:1 135:19	29:10 30:7,14
12,18 67:22	171:14	replacement	representativ	65:8 73:8
98:19 102:14	relying	48:21 51:12	e	172:24
106:15	68:2 71:24	report	25:4,8	responsibiliti
114:18 126:8	94:1 171:21,	10:1,2 39:16	representativ	es
138:20	23 172:5	43:8 58:3	es	86:15
152:13	remain	80:22 133:20,	30:12	responsible
relates	156:22	25 134:6,12	request	92:2
25:3 135:7	remained	135:4,16,24	22:22 125:12	responsive
144:8	116:12	136:6,14	requested	173:11
relationship	remedial	139:21	21:18 22:2	rest
30:21	104:14	143:16	105:17 125:7	57:20
relationships	remember	153:24	167:17	resting
10:5 103:6	31:13 55:2	reported	require	128:20
relocated	65:1 131:20	53:15 81:2,6	33:5	restroom
12:9	remotely	reporter	required	97:5
rely	103:21	5:13,17 6:7,	87:3 88:22	result
71:20 82:12	removal	11,15,19,22	100:5,15	115:18
86:6 91:8	30:19	7:13 26:2,11	requirement	143:23 144:2,
92:8 93:2,10,	rental	32:24 33:13	37:24	5
21 95:10	30:20	49:19 56:7	requirements	resultant
97:22 98:21	repair	57:9,13 85:23	75:24	78:13
101:16 107:3	160:15 161:7,	86:1 90:18	requires	resulted
111:12 122:1	18 162:6	95:5 99:3	119:22	64:4 149:13
123:3 125:9,	repairs	106:10 118:8	requiring	results
20 130:13	159:10,14,23	147:9,11	89:1	157:2
134:22	160:12	160:22	Resend	
136:16	162:14	174:25 175:2,		
		5,10,13,16		

NICHOLAS LARAWAY**June 17, 2025**

retain 21:19	33:17 35:14, 18,21 36:9	98:7,14 101:1,5	room 56:6 128:6	Ryan 46:16,24 47:3,5
retired 16:18	38:8,12,15,22 39:1,2,23	102:7,16 104:12	Rose 14:3 18:18	<hr/>
returning 159:24	40:8 41:9,18 42:3,24 43:4, 9 44:14,19,25	116:20 117:17,19	32:17 39:17 44:12 45:11	S <hr/>
review 7:25 43:20,21 55:6 72:12 111:15 154:14 159:6	45:13 46:10, 17,21 47:1, 11,15 48:7,9, 14 49:6,25	123:12,22,25 129:1,17,21 130:9 131:1, 16,23 132:2, 9,12,20	47:24 58:18 60:1 61:2 72:6 89:24 100:24 102:3 122:22 123:10	S-C-H-E-N-E- C-T-A-D-Y 6:18
reviewed 37:16 67:19 76:4,6 87:8, 12 88:2,13 96:6 111:17, 19 136:9 149:6 158:11 173:5	50:3,8,12 51:22 52:25 53:3,5,17,25 54:4,7,12,19, 21,25 55:5, 11,13,16,18, 22 56:1,4,8, 21,25 57:3 59:9,14 60:3 62:16,19	133:10 134:8 135:25 138:18 139:7 140:5,8,11, 19,20 141:6, 14,20 142:4, 22 149:24 150:4,7,11,15 151:1,3,10, 12,16,25	125:13 127:3 135:14 137:3, 16 148:12 149:8,17 152:3 153:15 154:12 157:21 158:22 161:8 164:7 170:17 171:10	safety 73:6,13 74:11 75:24 78:13 86:16 87:7 90:3,24 92:15,17 99:11 104:5, 23 117:7 118:13
reviewing 130:17,19	63:10,17,21 65:5,7 66:19 67:9,12,16 68:2,6,21,25 69:4,10,16, 17,23 70:4,8, 15,20 71:1,8, 11,17 72:9, 15,22 73:16, 21,24 74:3, 19,21 75:3,19 77:7,12 78:3	152:7 154:1, 22 155:1,10, 15,18 156:4, 18,21 158:19 160:1,17,25 163:14 164:16 165:9, 13,16,20,24 166:3,6,9,12, 25 167:6,22 168:6 169:8, 16,22 171:12 172:3,18,20 173:13 174:2, 9,21 175:1,8, 18,20	rough 175:6,14 rudely 29:1 Roy 12:13 RR 137:5 138:10 rudder 152:14 161:14 rule 100:17 run 15:13 runs 62:5	sailed 9:16 salaried 9:20 114:7 sales 29:5,8 salesman 28:15 65:19 145:4 salesmen 65:13 sampling 100:9,17 sanction 96:3 SAT 149:18 satisfaction 36:10 scenario 66:8,10
right-hand 88:23	79:4,10 81:24 82:10,18 83:5,11,16,24 84:18,21 85:5,11,17 86:2,23 87:1 88:4,10 89:3 90:8,19 92:5, 20,24 94:1,8, 16,17,22 95:7 96:23 97:1	role 8:11 12:15 13:7 86:25 145:16 roles 8:13		
ring 44:7				
River 92:19 159:22				
RODGER 49:15				
Rodger's 172:16				
Rodgers 5:23 18:3 20:18,23 21:2,5,12,22 22:25 23:19 24:3,9,21 25:14,18,19 26:3 28:8				

NICHOLAS LARAWAY**June 17, 2025**

schedule 47:19	secured 25:13	set 58:3 115:11	sign 105:22	slowly 138:11
scheduled 94:11	sees 20:24	share 127:16	signature 114:11 115:9, 11,13,14	SMS 119:20 134:4
Schenectady 6:14,16	seller 34:25	shared 128:22 129:8	signed 37:11,16 114:10 123:20 166:20	snow 30:18
school 8:21	sells 29:6	Sharif 128:8	silly 121:2	snowplowing 30:19
screenings 100:6	send 15:21 65:16 66:2,6 123:2	sharing 11:21	simple 64:24 140:17	soft 46:21
search 167:11 168:19 169:4, 13	sending 31:13 127:8	sheet 66:13	single 173:17	sold 11:13 29:8 34:6
searched 168:13	senior 16:11	ship 36:13 160:15 161:6	sir 7:7,10 11:22 15:5 59:18,22 107:10 162:20 165:2 173:24	somebody's 112:13 123:15
searches 166:23 167:5, 13	sentence 112:25 128:13	shipment 11:17	sit 173:18	sort 8:10 13:7 32:9 43:19 86:22 99:17 103:25 108:4 120:3 148:21 167:11
searching 65:9,11 167:18	separately 140:17	shipyard 11:5 52:20 159:9	site 61:3,8	sounds 121:1
section 73:7,8 74:10 75:16 78:10, 11 87:20 88:18 89:12, 16 90:3 91:17,19 99:11 101:11 118:13	September 39:18	shoreside 105:11,17	sitting 22:11	south 10:14,17 11:8 26:21 30:24 31:2
sections 73:13 76:25 77:23 87:6,11	sequence 160:6,8	short 27:16 56:14 97:13 118:1 162:24 163:3	Skanska 62:1 63:23 64:1,8,21 66:10	southeast 31:2
Sector 78:15	serve 27:13	show 59:5 120:5 146:18	sleeping 128:9	Southern 92:19 159:21
secure 22:13 26:13 162:2	served 27:9,11	shown 142:24	sliding 128:9	space 66:20
	service 63:3 105:16 109:10,13	shows 54:14	slightly 124:12	speak 47:1 91:9 107:5,19
	services 29:7,8 30:9 34:7 104:10 105:2,4,5 109:16 126:22	sick 116:1		
		side 88:23		

NICHOLAS LARAWAY**June 17, 2025**

110:22 173:6	167:18	standard	20 113:10	82:22 83:1
speaking	171:24 172:2	105:6	116:19	struck
131:15	173:6,22	standards	173:19	81:1
132:10	specifics	146:17,20	stayed	structure
speaks	91:10 92:9	standing	115:21	80:24 119:1,5
142:23	107:2	104:17 159:9	159:23	stuff
specific	speculation	starboard-	STBD	167:19
13:1 17:2	116:21 129:2	side	162:2	subcontracto
23:12 24:16	speed	162:3	steelworks	r
31:20 33:12	67:2,7 71:15,	start	11:3	109:17
39:8 52:5	23	28:13 54:18	steering	subject
60:23 61:13	spell	99:15 172:1	138:8 143:4	49:13 67:9
62:13 64:14	6:15 33:14	started	154:20	135:15 137:5
78:8 88:15	split	16:13 70:23	Stenographer	subjected
94:2 98:19	140:23	129:16	175:3	100:17
109:12	141:21	Starting	steps	submitted
111:19 136:1	spoke	104:11	21:20	111:6,14
137:19	22:6 65:13,	starts	Sterling	126:1 136:17
151:22	15,16 66:12	75:20 87:23	17:15	subpoena
152:10 158:9,	67:18	99:24 124:22	stevedoring	40:7 43:16
10 160:10	spoken	State	11:9	160:15 161:6
specifically	46:22	6:5 109:15	sticky	subpoenaed
13:11 17:20	spreadsheet	stated	114:23 115:2	55:3
20:3,8 21:17	147:20 148:2,	51:8 142:10,	stone	subsequently
32:12 37:8	5,24 149:1	14	11:17	144:11
38:4 40:17	153:20	statement	stop	substance
44:7 45:19	157:19,24	84:22 95:10	128:6	29:22 69:8
51:19,24	spur	131:11	stored	100:6
52:23 58:11	27:12	statements	96:5	substances
60:6,15 81:9	staff	125:25 126:9,	story	100:18 101:4,
84:13 90:25	42:15	11 127:16	142:11	22
92:13 93:13,	stamp	128:1 131:5	straightening	subtracting
15 96:9 97:25	28:9	states	131:17	46:8
98:10,13	stand	172:4	straps	succeeded
111:18	12:4	stating	162:1	35:1
112:13 115:4	standalone	28:9	strike	suggest
117:12	13:1	status	78:22 80:23	79:13
130:13 136:8,		25:10 107:15,		
19 142:20				
152:23 153:2				
155:6,25				
160:5 163:25				

NICHOLAS LARAWAY

June 17, 2025

suggesting 173:9	surveys 38:16	163:13,21 164:4,8	telling 24:2 69:15 84:24 160:1 163:14	98:25 101:17 107:4 111:13 113:9 122:1 123:3 125:9, 20 130:14,24 133:8 134:22 136:17 138:25 139:13,25 142:20 143:24 146:10 147:1 150:20 152:18,24 154:5 155:3, 21 157:1 158:7 159:16 161:19 162:8, 16 163:24 164:11 171:14,21 172:5
sum 64:23	sus 106:22	<hr/> T <hr/>	tender 119:11	
summaries 70:1,3,7,25 72:13 133:3,7	suspended 106:23,25 107:13,17 110:18 113:10 116:4, 19	tag 132:13,22	tense 141:25	
summarized 171:17		taking 22:9	term 21:3 81:25 130:10	
summarizing 93:24	suspension 110:13,24	talk 31:23 32:2,5, 13 64:15 67:4,5	terminated 36:5 113:5 116:9,16	
summary 50:20 68:19, 24 69:3,21,24 132:1	swear 5:17	talked 18:19	termination 106:16 107:14 108:14 110:7, 12	
summers 8:19	switch 138:7 143:3	talking 24:20 32:9 38:8 41:10 54:13 59:17 104:5 123:12 133:4 167:24		
SUNY 109:11,13,17	switched 103:9		test 39:3 52:7 101:12,14	testing 38:25 94:4 100:2,22 101:8,13,21 102:2,8,10,14 103:3,7 104:1 105:5,9
super 121:8	Sybil 108:7,9 112:14,18,20 114:11,14	talks 100:1	testified 6:6 41:13,14 68:13 69:22 90:10 94:9 139:8 172:7	
superficial 144:9		tap 129:10		
support 11:10 12:24	Sybil's 114:13	TBS 99:23 118:18		
supports 11:4	system 73:6,13 74:11 75:24 83:2 86:17 87:7 90:4,25 99:12 107:16,19,23, 25 108:4 109:23 112:23 133:20 134:3, 7,13 136:6,14 139:16,21,24 154:20	team 110:15 132:13,23	testify 7:3 8:4 63:8, 11 67:21,25 140:12	text 76:24 88:22 150:17
supposed 135:4		tease 83:15	testimony 41:21 57:23 68:3,17,20 69:3 71:20 72:14 76:5 82:13 86:6 94:2,23 95:11,13 97:22,24	texted 120:23
surmise 147:4		technicians 152:21 154:18 157:9 158:5		texts 149:20 151:17
survey 33:18 38:13, 21 39:15 43:1,7 44:12 53:9,15 57:22 58:22,24 59:3,16,23		techs 152:21 153:3		thick 57:18
				thing 57:20 86:22

NICHOLAS LARAWAY**June 17, 2025**

112:21,22 132:13 133:6 158:11 168:11 things 27:6 29:2 61:4 86:21 123:2 129:24 Thomas 102:20 103:16 108:16 145:1 thought 34:15 53:9 60:18 128:10 151:15 thousands 173:2 Till 175:19 time 5:9 15:6,25 16:4,25 18:20 27:6,7 28:1, 22,25 29:9 30:10 34:11, 20 40:15 45:14,15 52:6 56:11,15,18 58:15 61:2 62:8,9 63:3 66:4 72:6 73:2 75:6,10 79:5,6 80:11 84:10 86:11 96:25 97:11, 17 102:3 113:13 116:8 117:15,19,24 118:2,5 123:21 126:3	127:17 129:9 130:22 131:7 140:8,13 143:19 145:11 149:2 156:18 163:1, 7 164:8 166:19 170:21 173:25 174:13,20,22 175:24 times 142:12 171:25 title 9:22,23 12:23 13:1,6 34:1 36:12 43:7 74:13 titled 89:12 91:17 118:14 147:20 168:18 titles 12:16 today 22:11 23:16 35:8 36:21 68:15 76:5 88:3,9,11 149:2 159:4 173:18 Today's 5:8 told 13:4 34:14 60:17 64:19, 20 127:20 133:11 145:1,	17 Tom 102:21 109:8 110:4 112:18, 20,21 tomorrow 172:8 175:19 top 14:22 15:10 47:22 61:16 72:1 158:13 topic 63:1,9 67:1, 25 topics 7:3,22 8:5 10:4 62:24 towage 63:2 towing 5:4,5,25 7:18, 19 8:10 10:24,25 11:4,24,25 12:2,14,18, 22,25 13:2, 10,18 15:15, 19 16:5,10 32:10,11 34:8 45:22 79:22, 25 80:3 86:17 95:19,24 102:22 103:25 114:5 117:4 134:20 146:8 track 162:19 tracking 163:13,21	traffic 26:25 training 93:7,15 95:16,18,23 96:3,7 97:18 98:19 transactions 42:17 transcript 132:1 175:7, 9,11 transit 61:12 92:2,18 96:19 162:4 transits 91:17,20 93:9,17 94:7 Travelers 49:5 true 62:15 Tuesday 5:8 tug 14:3 15:7 22:14,18 23:6,10,21 32:17 39:17 44:12 45:11 46:13 58:17 59:25 61:1 72:5 76:10 105:18 121:25 122:21 123:10,13,14 125:13,19 126:1 135:14 137:2,15	140:3 141:3 142:2,8 143:22 144:2 146:4 161:8 170:17 Tug's 124:6 tugboat 67:22 tugmackenzie rose@ carvercompa nies.com 123:1 tugs 97:19,21 146:8 turn 40:18 78:9 88:16 89:11 91:16 99:21 148:4 153:16, 25 157:23 158:1 turned 116:16 138:6, 24 139:6 143:2 two-hour 101:13 type 11:5 30:2 105:2,4 137:22 <hr/> U <hr/> U.S. 9:13 11:2 76:17 100:16
---	--	---	---	--

NICHOLAS LARAWAY

June 17, 2025

119:19	86:8 90:1	utilize	101:12,15	Weeks
unaware	105:15	48:23	142:16,18	61:3,7 138:9
102:19 122:3	106:22	utilized	159:8,19	143:5 144:13
144:1	110:25	22:14	160:13	159:19
uncle	112:16	utilizes	163:10	weld
9:2 13:21	113:11	105:7	vessel's	161:13
37:13	115:23		58:9	what'll
underneath	116:10 123:5	v	vessels	57:6
14:25 92:14	129:5 130:16		47:19 48:19	whatever's
146:15	135:3 138:23	valuation	52:15 90:6	46:19
understand	140:2,6,12,14	39:15 43:7	91:21 163:22	wheelman
25:7 42:5	141:2,4	49:2 53:11	164:1	92:1
48:5,11 53:19	142:1,8,13	58:3 59:19,25	vicinity	White
58:12 60:5	143:14,21	valuations	138:17	12:13
63:7 69:19	163:19 173:4	46:8	video	who'd
70:12 78:6	understands	valued	175:22	19:4
82:1 86:2,4,	169:23	38:20	Virginia	withdraw
21 91:4 92:7	understood	variety	138:1	141:24
98:11,16,17	79:5,6 113:8	27:6	W	witnesses
105:13	undertake	vender		94:21
111:21 121:2	21:18	24:11	wait	word
126:10 129:4	unintended	vendor	56:24	167:10
130:11	78:21,22	103:2 105:1,	waiting	words
133:21,24	79:3,9 119:21	6,16,19	116:13	41:5
134:17	unit	109:17	Ware	work
140:14,25	76:16,17	vendors	5:19	8:14 10:13
141:7,12	145:10	103:7	washouts	11:5,10 29:9
142:6 166:3	University	version	30:17	33:2,3 34:23
167:10	109:15	120:4 121:5	watch	35:22 64:20
169:17,19	unpack	vessel	123:6	66:14 72:19
understandin	113:21	9:17 34:2,3,	water	95:24 108:22
g	updated	12,22 36:1,	10:15 11:8	111:1 113:7,9
7:6 8:3 19:21	126:6	21,23,24 37:5	wedge	114:3 115:22
21:25 22:1	updates	38:2,17 48:19	138:17	135:7 145:13
26:15,17	126:8	51:15 58:17	week	146:7
49:1,9 53:13,	Upstate	60:19 61:1	40:4 74:24	worked
20 58:16 59:1	10:22	63:3 67:2,8	94:11 172:9	8:16 32:9
61:25 64:10	USCG	71:15 76:11		working
76:3 79:1	76:16	78:17 99:18		
80:13,17,20				
82:2 83:8				

NICHOLAS LARAWAY

June 17, 2025

8:15,17 9:3 109:10 110:19,23 113:12 116:17 164:8 171:10 173:7	14 26:22 30:17,22 109:15 113:1, 2	
works 10:10 16:3 81:18 117:6 139:16	zip 6:19 Zoom 170:23	
worth 60:19		
would've 37:11 52:2 154:4		
write 112:11 131:10		
writing 91:12,14		
written 67:12 112:17 113:3 123:15		
wrong 20:21		
Y		
year 115:25 145:12 153:11		
yellow 91:25		
Yoakum 46:4		
York 6:5,14 10:14, 17,22 12:7,9,		

Sent: 6/20/2024 9:49:02 AM
From: Nick Laraway <nlaraway@carvercompanies.com>
To: "Brian Moore" "CMT Dispatch" "Leonard Baldassare"
"Mark Pearson"
Cc: "Anthony" "Jr." "Carlo Agneta"
Bcc:
Importance: 3 (Normal)
Subject: FW: Notice of Claim for Damage
Attachments: [image001.png](#) , [20240620 Notice Letter to Carver.pdf](#) , [image003.png](#)

Is anyone aware of any of this?

From: Armond Joyner <ajoyner@cwm-law.com>
Sent: Thursday, June 20, 2024 10:41 AM
To: Nick Laraway <nlaraway@carvercompanies.com>
Cc: Brian Moore <bmoore@carvercompanies.com>; James Chapman <jchapman@cwm-law.com>; W. Ryan Snow <wrsnow@cwm-law.com>; Robert Bracknell <rbracknell@cwm-law.com>; Beth Powers <bpowers@cwm-law.com>
Subject: Notice of Claim for Damage

You don't often get email from ajoyner@cwm-law.com. [Learn why this is important](#)

Good Morning,

Please see attached correspondence from Mr. Chapman.

Thank you,



Armond Joyner, Legal Assistant
CRENSHAW, WARE & MARTIN, P.L.C.
150 W. Main Street, Suite 1923 | Norfolk, VA 23510
T (757) 623-3000 | F (757) 623-5735 | www.cwm-law.com | ajoyner@cwm-law.com

This communication is intended only for the recipient(s) named above and may be privileged or confidential. If you are not the intended recipient, any disclosure, distribution or other use is prohibited. If you received this communication in error, please notify Crenshaw, Ware & Martin, P.L.C. at (757) 623-3000 or by return email to ajoyner@cwm-law.com.



CARVER ESI 000307



LAW OFFICES
CRENSHAW, WARE & MARTIN, P.L.C.
150 WEST MAIN STREET, SUITE 1923
NORFOLK, VIRGINIA 23510

TELEPHONE (757) 623-3000
FACSIMILE (757) 623-5735

June 20, 2024

JAMES L. CHAPMAN IV
EMAIL: jchapman@cwm-law.com
Also licensed in North Carolina

VIA E-MAIL (nlaraway@carvercompanies.com) and REGULAR MAIL

Mr. Nick Laraway
Chief Operating Officer
Carver Companies
2170 River Road
Coeymans, NY 12045

Re: Notice of Claim for Damage
To the Owners and Operators of TUG MACKENZIE ROSE
Allision of M/T MACKENZIE ROSE with Main Line Bridge of Norfolk and
Portsmouth Belt Line Railroad Company
Date of Allision: June 15, 2024
Preservation of Evidence Demand

Dear Mr. Laraway:

This law firm represents Norfolk and Portsmouth Belt Line Railroad Company ("Belt Line"). I write regarding damage caused by Tug Mackenzie Rose alliding with the Belt Line's main line bridge on Saturday June 15, 2024. The bridge spans the Southern Branch of the Elizabeth River from 36.81096 North Latitude/76.229215 West Longitude to 36.81234 North Latitude/76.28872 West Longitude.

AIS voyage data and video document the Tug pushing a deck barge northbound in the Southern Branch of the Elizabeth River when it struck the main line bridge, knocking it from its pier structure and causing substantial damage, as shown in the enclosed photograph.

The bridge remains out of service and the Belt Line is incurring continuing economic damage resulting from loss of use.

Carver Companies, or one of its operating entities owns and/or operates Tug Mackenzie Rose. The Belt Line demands adequate security for all damage caused by the Tug. Failing that, we will seek to have the vessel arrested as security for the loss. If you have not done so, we request you immediately notify the insurer of the Tug of the casualty and request them to contact us directly.

Because these matters could require legal action, Carver is requested to place an immediate litigation hold on all potentially relevant documents and information, including electronically stored information (ESI). The failure to do so may expose Carver to sanctions or legal liability.

Mr. Nick Laraway
Chief Operating Officer, Carver Companies
June 20, 2024
Page 2

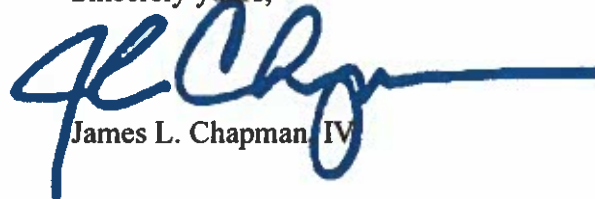
Carver must preserve and retain, and not discard, shred, or delete, any documents and information relating to the Tug and the casualty, including logbooks (rough and smooth), AIS data, notes, communications (text, email, voicemail and messaging services), photographs, video and other data. This includes, without limitation, all hard copy and electronic files, computer hard drives, mobile devices, backup media, home computers and personal laptops if used to perform work on behalf of Carver, and personal accounts for work-related communications.

Electronically stored information (ESI) will potentially be an important source of discovery or evidence. Carver must preserve all ESI related to the disputes and suspend the deletion, overwriting, or any other possible destruction of relevant electronic documents and data. Any automatic data destruction protocols must be suspended. Again, failure to do so could result in sanctions against Carver. These obligations apply to all relevant ESI, no matter when it was created. Carver has a continuing obligation to preserve all newly created ESI as well, not just ESI that was created before delivery of the contract termination and proposed debarment notices.

The legal obligation to preserve information also extends to any data, documents or information within Carver's "control." If Carver works with third-party vendors or other entities that may have data, documents or information covered by this demand, please notify us immediately so that we may determine whether to inform these third parties of their preservation obligations.

Please confirm receipt of this request and that Carver is undertaking to comply with it. Thank you for your prompt attention to this matter.

Sincerely yours,



James L. Chapman IV

JLC/acj

Enclosure

cc: Brian Moore, GM, Carver Marine Towing - bmoore@carvercompanies.com
W. Ryan Snow, Esquire
Norfolk and Portsmouth Belt Line Railroad Company

Mr. Nick Laraway
Chief Operating Officer, Carver Companies
June 20, 2024
Page 3

Enclosure

